

Douglas, Dave (MGS)

From: Hammond, Bradley (OPO)
Sent: February-08-13 11:37 AM
To: @OPO-Media Relations and Issues Management; Miller, Laura (OPO); McCann, Wendy (OPO)
Cc: homeoffice@liberal.ola.org
Subject: Issues Feb 8/13

Good morning Premier,

Please see a quick issues rundown below.

Thanks,

Bradley

FYI – The snow storm hitting much of Ontario is by far the largest media story this morning. School has been cancelled by many boards including in York, Durham and Peel regions.

FYI – Job numbers were released by Statistics Canada this morning showing a decline of 31, 200 full-time jobs in January

FYI – Mark Buehrle, a Toronto Blue Jays pitcher acquired by the team in November, has made the public decision to leave his family in Miami-Dade county during the upcoming season as his family's pit bulls are banned by the breed specific legislation.

FYI – The Premier-designate's call to add the Oakville Gas plant to the Auditor General's review drove the media cycle a fair amount yesterday. Both opposition leaders chimed in on this and said the expanded audit is just not enough. PCPO leader Hudak said he wants to have the decision to cancel the plants examined at hearings while NDP leader Horwath reiterated her call to have this addressed through a public inquiry. This was covered in the Toronto dailies and on TV in Toronto, Hamilton and London.

FYI — the Premier's Media Office really doesn't know what to do without you and is quite sad that this is your last issues note.

Resignations:

Minister Bartolucci's decision to not seek reappointment to cabinet was covered in great detail in Sudbury and surrounding areas. The front page of the Sudbury Star includes a great picture from Bartolucci's announcement and the article lists the many government accomplishments he delivered to the community. All coverage mentions that Rick will continue to serve as MPP for Sudbury.

Minister Duncan's press conference yesterday morning announcing his intention to resign his seat and effective next week received a fair amount of province-wide coverage, especially in

Windsor. The Windsor Star ran a great political cartoon about the departing Minister, which shows the posts he has held during his time in government under the heading "Not a bad run".

At 11:00am, Minister Bentley announced he will be stepping down as a Minister and resigning his seat effective the same date as Minister Duncan. This follows media reports last week which indicated that Minister Bentley would not seek reappointment to cabinet.

Blizzard: Christina's column focuses on the resignations of Ministers Duncan and Bartolucci. On Duncan Christina says she finds it "surprising that even though Papatello didn't win, he's still stepping down" whereas on Bartolucci she says "at least he's not triggering a byelection" which may be difficult to win with a strong push from the NDP in Sudbury. Christina asks Dwight what advice he would offer to his successor, he says, "You're always Dr. No. You can't flinch and you have to have the bigger picture in mind."

National Post: In an editorial the Post says goodbye to Minister Duncan. The Post describes Duncan as a "realist" who wasn't "philosophically opposed to spending other people's money on political priorities" but at the same time "understood how badly Ontario's fiscal situation had deteriorated."

Douglas, Dave (MGS)

From: Chan, Wilson (OPO)
Sent: February-08-13 10:18 AM
To: Barton, Neala (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); Grech, Adam (OPO); Baker, Kelly (MAH); McPhail, Blane
Cc: Gene, Dave (OPO); McCann, Wendy (OPO); Miller, Laura (OPO); Ramey, Lauren (OPO); 123michaelchan@gmail.com; huang_zh@hotmail.com; Latif, Ruby (OPO); Patel, Zubair (OPO); dgordon@liberal.ola.org; Dong, Han (MCI); Wai, Wendy (OPO); sychannews@gmail.com
Subject: Chinese press summary

Hi folks,

GTA braces for the worst snow storm in five years, the papers reported in their headline story. Environmental Canada warned some 25 mm of snow could be expected blanketing cities across the province. More than 30 % of flights in and out of Pearson International have been cancelled.

The city of Toronto's snow ploughs are all out to clear roads and 600 additional trucks have been called in deal with the situation. However, schools in GTA will remain open. School buses are not running though, the papers noted.

The resignations of Finance Minister Dwight Duncan and Northern Mines Minister Rick Bartolucci were widely reported on. As did the statements by the Premier and the Premier-designate, a release by PO that was used in their entirety.

Sing Tao had translations of two opinion pieces by Star writers Martin Regg Cohn and Benjamin Gilles, respectively on the incoming Premier's ability to tackle gridlocks and the Finland model of education that is worth copying.

In a separate story that is moderately played, the papers reported the incoming Premier asked the Auditor-General to broaden the scope of investigation into the gas plant cancellation. There weren't any echoes to her pledge.

Federally, the papers had Canada's recovery from the recession slowed down mainly due to unclear US policies and that Senator Patrick Brazeau has been kicked out of the Harper caucus after he was arrested for domestic violence.

As for the city, the major concern was audit found wide spread frauds among public servants faking sick leave, use of faked documents to get pension and engaged in conflict of interest activities.

That's it for this morning. Thanks.

Wilson Chan
Associate Press Secretary
Office of the Ontario Premier
Queen's Park
Tel: 416-325-7564

Douglas, Dave (MGS)

From: Forrest, Jamie (CAB)
Sent: February-08-13 10:08 AM
To: Bromm, William (CAB); Hume, Steen (CAB); Fuller, Shannon (CAB); Sumi, Craig (CAB); Leigh, Jonathan (CAB); Davidson, Drew (OPO); Ramey, Lauren (OPO); Martel, Josée (CAB); Clow, Brian; Barton, Neala (OPO); Miller, Laura (OPO)
Cc: Matela, Angelo (CAB); Hwang, Wendy (CAB)
Subject: Release of Access Decision - FOI Request - PO 12/53

FYI

On Monday, the requester will be sent a decision letter granting partial access to the requested records – 112 pages. The records will not be released until the balance of the fee is received. I'll send another alert at that time.

Please let me know if you would like more information.

Thanks,
Jamie Forrest
Coordinator, FOI and Issues
Cabinet Office
(416) 326-2672

From: Forrest, Jamie (CAB)
Sent: December 6, 2012 9:58 AM
To: Bromm, William (CAB) (William.Bromm2@ontario.ca); Hume, Steen (CAB); Miller, Laura (OPO); Codd-Downey, Beckie (OPO); Barton, Neala (OPO); Fenton, Tannis (CAB); Fuller, Shannon (CAB); Sumi, Craig (CAB) (Craig.Sumi@ontario.ca); Leigh, Jonathan (CAB)
Cc: Matela, Angelo (CAB); Hwang, Wendy (CAB)
Subject: New FOI Request - PO 12/53

FYI

A new request has been received from an individual for access to all records sent or received in the period January 1, 2012 through October 1, 2012 by the Premier, the Premier's Office, consultants to the Premier's Office, or advisors to the Premier's Office relating to the construction, contracting, relocation, or any other arrangements associated with the gas-fired power plants once contracted for development in Oakville by the firm TransCanada Energy or related entities and also Mississauga by the firm Eastern Power or related entities.

Processing is underway.

Jamie Forrest
Coordinator, FOI and Issues
Cabinet Office
(416) 326-2672

Douglas, Dave (MGS)

From: Hammond, Bradley (OPO)
Sent: January-31-13 9:28 AM
Cc: @OPO-Media Relations and Issues Management; Sobers, Tracey (OPO); Agbasi, Chike (OPO); Brodhead, John (OPO); Barton, Neala (OPO); Miller, Laura (OPO); McCann, Wendy (OPO); Grant, Samantha (GHLO); Phillips, David (GHLO)
Subject: Issues January 31-13
Attachments: Issues January 31-13.docx

Good Morning Premier,

Hope you're well. Please find below and attached your issues and media break down for today.

You do not have a planned media availability today however you will see reporters on your way in the LG's suite.

FYI – The Ottawa Citizen and Sun each report that the Ottawa Hospital will lay off close to 300 employees. The CEO of the Hospital is quoted in each of the stories saying the hospital will continue to provide world-class care.

FYI – the OLRB hearing into the withdraw of extracurricular activities by teachers continues. The Toronto Star reports that ETFO is arguing memos which direct teachers to withdraw this service are not strike action as extracurricular activities are not covered by the education act.

FYI – A report released by the Fraser Institute says Ontario's debt situation is worse than California's and warns that Ontario's total debt level may double as a share of GDP by the end of the decade.

FYI – Mayor Ford has rejected the free advice offered by three former city of Toronto Mayors. The Mayors, Crombie, Sewell and Eggelton argued against having a casino in downtown Toronto.

FYI – reports indicate that Ottawa and the North West Territories are close to an agreement that we see control of water, resource revenue and land seeded from Ottawa to the territory, granting de facto province status on the sparsely populated territory.

Gas Plants:

Yesterday in a media availability at Queen's Park, Cambridge MPP Rob Leone alleged political interference in the search for gas plant documents. This latest revelation was based on an email between public servants which discussed the search parameters. At the time of the press conference MPP Leone alleged this was a conversation between a staff person in the Minister office and the OPA – this was not true. This was covered in print by the National Post, the Globe and Mail and the Toronto Sun. The Toronto Star had an online only story which the subsequently pulled because of the poor research and false information provided by the PCs.

- Mad the difficult decision to close two gas plants
- We listened to the community, which is what we were elected to do
- The government did not direct the search for documents related to the gas plants

- The Ministry's document search was conducted in good faith and we're confident all information is public.

Incoming Premier Wynne:

The incoming premier has continued her media push conducting a round of one-on-one media interviews with Queen's Park print reporters yesterday and holding a photo-op with Premier Redford of Alberta. Premier Redford spoke reporters the meeting which she described as cordial and that the two compared notes MDs fee structures and salary. This was covered widely on TV and in print in the Toronto Sun, Globe and Mail and the Canadian Press.

A new poll appearing in The Star, by the Innovative Research Group, indicates that the Kathleen Wynne's election as party leader has given the party a boost in the polls. When all parties were compared against each other, Wynne led liberals were favoured by 24% of Ontarians, compared to 23% for Hudak Tories, 20% for Horwath NDP and 7% for the Green Party lead by Mike Schreiner. 70% of the respondents in the survey said they found it "exciting" to have a female leader.

Blizzard: Christina interviews the incoming premier on a couple different topics including teacher contracts, the adjustment to being the incoming premier and her record while minister. On more money for teachers the incoming premier says, "I've been very clear that's not what I'm going to do." On the adjustment to being incoming premier MPP Wynne says "the biggest surprise was that I won't be driving at all. I've been driving since I was 19 years old" When asked by Christina if she wanted to distance herself from her record as a Minister, MPP Wynne responded, "I have no intention of disowning my record as a member of the McGuinty government."

Cohn: Martin's column is based on an interview with the incoming premier and focuses on steps needed to secure labour peace with teachers. MPP Wynne stresses the importance of extracurricular activities, that there is no new money to inject into teacher contracts and calls on teachers to "bring to the table some suggestions about how we can move forward." Martin says Wynne wants a "more balanced" relationship that would see labour leaders brought face-to-face with economic decisions makers in the private sector.

Chianello: Joanne speculates about the future cabinet opportunities that may be before MPP Naqvi. She says Yasir's job well done at the convention, combined with your resignation, will open up opportunity. Joanne credits Yasir for the smooth running of the convention, saying it "proceeded quite smoothly, as far as these thing go. When the actual action on the floor is the focal point of the news and not screwed-up process or technical glitches, that's considered a success."

Stinson: Scott looks at the provincial fiscal situation in an interview with the incoming premier. Scott reviews the early opposition demands made on the incoming premier and points out that "both opposition parties will want to keep the gas-plant issue at the front of the agenda." On the fiscal front, Wynne indicates that she met with Minister Duncan about budget preparations which she described as a "bit of the meeting of the minds – me saying we're going to need new revenue to [to build infrastructure] and him saying we need new infrastructure." Scott saying the largest challenge facing Wynne "could be trying to win back the favour of the teachers' unions – something she mention in her campaign launch."

Regards,

Bradley P. Hammond

Press Secretary
Office of the Premier of Ontario
desk: 416.325.3522
cell: 416.346.1916
twitter: @LibPressSec

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“could be trying to win back the favour of the teachers’ unions – something she mention in her campaign launch.”

Douglas, Dave (MGS)

From: Codd-Downey, Beckie (OPO)
Sent: December-04-12 12:04 PM
To: Miller, Laura (OPO); Bardeesy, Karim (OPO); Korbee, Leon (OPO); Charlebois, Tyler (OPO); King, Katherine (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); Ramey, Lauren (OPO); Jephcott, Emily (OPO); Gair, Alexandra (OPO); Phillips, David (GHLO)
Subject: RE: Assistance Required re: Freedom of Information Request

Hello,

Please confirm by 2PM today if you followed the below steps for the FOI request.

If you have any questions please call me at 416-325-7167

Thanks,

Beckie

From: Codd-Downey, Beckie (OPO)
Sent: Monday, December 03, 2012 11:50 AM
To: Livingston, David (OPO); Miller, Laura (OPO); Brodhead, John (OPO); Bardeesy, Karim (OPO); Annis, Kristyn (OPO); McCann, Wendy (OPO); Barton, Neala (OPO); Korbee, Leon (OPO); Charlebois, Tyler (OPO); King, Katherine (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); MacKenzie, Rebecca (OPO); Ramey, Lauren (OPO); Jephcott, Emily (OPO); Hazelden, Mark (OPO); Gair, Alexandra (OPO); Phillips, David (GHLO); Spafford, Kevin (GHLO); Marangoni, Emily (OPO)
Subject: RE: Assistance Required re: Freedom of Information Request

Good morning,

Following up on this request can you please confirm if you followed the search details outlined below:

- Used key words "Project Vapour" and "Project Vapor"
- Searched all Outlook folders including in-box, sent items, personal folders and deleted items
- Using the same key word search to located any electronic records other than emails, undertaking a search of your G drive (common), H drive (personal) and C drive (local)
- Reviewed the contents of your recycle bins on your desktop
- Manually searched your paper files

If you have any questions about this request please call me at 416-325-7167.

And please confirm via email if you have took these steps when completing the FOI request.

Cheers,

Beckie

From: O'Leary, John (OPO)
Sent: Wednesday, October 10, 2012 1:08 PM

To: Livingston, David (OPO); Miller, Laura (OPO); Brodhead, John (OPO); Bardeesy, Karim (OPO); Annis, Kristyn (OPO); McCann, Wendy (OPO); Barton, Neala (OPO); Korbee, Leon (OPO); Charlebois, Tyler (OPO); King, Katherine (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); MacKenzie, Rebecca (OPO); Ramey, Lauren (OPO); Jephcott, Emily (OPO); Hazelden, Mark (OPO); Gair, Alexandra (OPO); Phillips, David (GHLO); Spafford, Kevin (GHLO)

Cc: Codd-Downey, Beckie (OPO)

Subject: Assistance Required re: Freedom of Information Request

Hello Everyone,

I require your assistance to fulfill a Freedom of Information request.

The request is:

“access to the following information from the Office of the Premier: emails, memoranda, Outlook Calendar Invitations making reference to “Project Vapour” or “Project Vapor” during the calendar years of 2010, 2011 and 2012. “

It is possible you may have information relevant to this request.

Please undertake a search of your records and complete it by October 24. Please contact myself or Beckie Codd-Downie if you have any questions about this request.

Thank you for your assistance,

John

John O'Leary

Manager, Legislative Issues

Office of the Premier of Ontario

P: 416-325-2141

Douglas, Dave (MGS)

From: Codd-Downey, Beckie (OPO)
Sent: December-03-12 11:50 AM
To: Livingston, David (OPO); Miller, Laura (OPO); Brodhead, John (OPO); Bardeesy, Karim (OPO); Annis, Kristyn (OPO); McCann, Wendy (OPO); Barton, Neala (OPO); Korbee, Leon (OPO); Charlebois, Tyler (OPO); King, Katherine (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); MacKenzie, Rebecca (OPO); Ramey, Lauren (OPO); Jephcott, Emily (OPO); Hazelden, Mark (OPO); Gair, Alexandra (OPO); Phillips, David (GHLO); Spafford, Kevin (GHLO); Marangoni, Emily (OPO)
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Thank you for your assistance,

John

John O'Leary

Manager, Legislative Issues
Office of the Premier of Ontario

P: 416-325-2141

Douglas, Dave (MGS)

From: Barton, Neala (OPO)
Sent: November-26-12 8:03 PM
To: Miller, Laura (OPO); MacKenzie, Rebecca (OPO)
Subject: Re: Cp24 - Doug Ford

Kind of him.

Need to talk to you about the Conflict of Interest Act. We had, a while back, quietly initiated a review, which MAH tells me is currently on hold. We should decide how we want to handle that from a comms perspective. I can bring it up at senior staff if that's easiest.

----- Original Message -----

From: Miller, Laura (OPO)
Sent: Monday, November 26, 2012 07:15 PM
To: MacKenzie, Rebecca (OPO); Barton, Neala (OPO)
Subject: Cp24 - Doug Ford

Went after us for buying an election (gas plants) and proroguing the house so we can't change the law.

Douglas, Dave (MGS)

From: Hammond, Bradley (OPO)
Sent: November-11-12 9:43 AM
Cc: @OPO-Media Relations and Issues Management; Livingston, David (OPO); Miller, Laura (OPO); McCann, Wendy (OPO); Phillips, David (GHLO); Grant, Samantha (GHLO); Sobers, Tracey (OPO); Codd-Downey, Beckie (OPO); Agbasi, Chike (OPO)
Subject: Issues November 11-12
Attachments: Issues November 11-12.docx.doc

Good Morning Premier,

Hope this finds you well.

You do not have a planned media availability today although there should be a fair number of cameras at the Remembrance Day Ceremony at Queen's Park.

Please find your issues note below and attached.

FYI – the TTC made an operational decision to not have the bus screens read ‘Less We Forget’ as they do most years at this time. Somewhat predictably, the Toronto Sun covers this “outrage” as an affront to our veterans and compares the TTC to Mississauga where they do put this on busses.

FYI – An arrest has been made after a string of fairly high profile poppy box thefts from three Tim Hortons locations in Toronto.

FYI – Toronto’s chief medical officer wants to introduce restrictions on future casino development in Toronto. Dr. McKeown recommends: max 18 hours of operation per day, eliminate loyalty programs, no ATMs on casino floors and no alcohol in gaming areas.

FYI – On Friday, the Sudbury Coalition Against Poverty set up a makeshift emergency homeless shelter in MPP Bartolucci’s Sudbury Constituency Office. After refusing leave, 11 activists were arrested by the police and charged with trespassing. A Sudbury Star reporter was arrested while covering the protest and subsequently released. MPP Bartolucci is quoted in Northern Life saying the protestors are “rabble-rousers”.

FYI – Media reports this weekend indicate that Olivia Chow is considering running to be the next Mayor of Toronto.

Leadership:

- Yesterday MPP Charles Sousa launched his bid to become the next leader of OLP. Media reports indicate that over 400 people were in attendance, including Mississauga MPP Hazel McCallion. In his remarks, Sousa reached out to rural and northern Ontario voters and shared a plan that included job creation, high-speed rail across Southern Ontario and three new university campuses. He also committed to reinstating passenger rail service on the ONTC rail lines. The gas plants, and MPP Sousa’s lobbying to have the gas plants moved, was placed prominently in the Canadian Press, Sun Media and Toronto Star stories about the

launch. Sousa said at his announcement “before I was elected, I was opposed to this gas plant ... as an MPP I opposed it, and as a minister I continue to oppose it.”

- Eric Hoskins is expected to enter the OLP race early in the week.
- Former Minister John Wilkinson announced on Saturday that he will not be seeking the leadership.
- Blizzard: Christina uses her Saturday column to examine the last OLP leadership race and -- through an interview with Minister Duncan -- draws lessons for the current race. Christina says the 1996 convention was “the worst of time for the Liberals. Under the leadership of McLeod, they’d blown an election that should have been a slam dunk for them.” She quotes extensively from Minister Duncan who tells of your effort to unite the leadership contenders after your victory. Duncan offers the following advice for current contenders, “work hard, enjoy it. It’s actually a wonderful experience in your life.”
- Regg-Cohn: Martin uses his Sunday column to examine the leadership hopes of former MPP Sandra Pupatello. Martin says that Sandra is the presumed front runner, the “putative premier-in-waiting” who has the “virtue of being, if not quite a fresh face, then an unblemished one – free from the political battle scare borne by her cabinet colleagues who stuck it out.” While these are positives for a potential new leader, Martin argues that Sandra must win the leadership or she won’t stay in politics.
- Toronto Sun Editorial: The Sun’s Saturday Editorial argues that “Ontario doesn’t need a new Liberal leader. It needs a new, non-Liberal government.”

Gas Plant Documents:

On Friday MPP Tabuns issued a press release and held a media availability to accuse the government of “extraordinary stonewalling” on a freedom of information request for correspondence related to the cancellation of the Mississauga and Oakville gas plants. This appeared in the Star, the Sun, the Canadian Press and CTV. MPP Tabuns is concerned that the search did not return responsive records and uses the documents released to the committee as a point of comparison.

- I don’t personally get involved in the FOI process. I leave that to government officials and those responsible for executing the search.
- The NDP always have the right to appeal – they can go to the Information and Privacy Commissioner if they feel the Freedom of Information Process was not properly followed.
- We could spend days doing back and forth with the opposition about every single email in the 56000 pages of documents that were turned over. But I think Ontarians expect us to focus on the things that matter to them: protecting health care and education, strengthening the economy and creating jobs.

Star Autism Series

The Star has launched a major series about autism, highlighting the science behind the disorder and the kinds of services available to treat it. The paper makes the case that an estimated one out of every 88 children are affected by autism but that the level of service provided doesn’t match children’s needs or parents’ demands. The Star highlights various stories of parents who struggled to have their children diagnosed with autism and says that Ontario’s wait lists for support are too long.

The paper makes the case that “there is no single clearing house that tracks children in Ontario awaiting assessment, diagnosis and treatment. Parents must navigate a baffling bureaucracy.” In her new role as Minister of Children and Youth Services, Minister Broten will be speaking to the Star early this week about the supports Ontario has in place and what more we’re doing to help parents.

- I know how challenging it can be for parents. You want to make sure your child gets the very best start in life. It’s commendable that so many parents work so hard to ensure children with autism get the right diagnosis and the right supports.
- As a government, we do our best to help. We understand the challenges families face and we are determined to make further progress.
- Since 2003, we’ve more than quadrupled autism investments to over \$186 million.
- We’ve also tripled the number of children receiving intensive autism therapy.
- It’s important to note that many of the young people who are on wait lists for intensive support services are receiving other provincially-funded autism services in the interim.

We’re there for our kids. But we’re always looking for ways we can do more

warm regards,

Bradley

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FYI – An arrest has been made after a string of fairly high profile poppy box thefts from three Tim Hortons locations in Toronto.

FYI – Toronto’s chief medical officer wants to introduce restrictions on future casino development in Toronto. Dr. McKeown recommends: max 18 hours of operation per day, eliminate loyalty programs, no ATMs on casino floors and no alcohol in gaming areas.

FYI – On Friday, the Sudbury Coalition Against Poverty set up a makeshift emergency homeless shelter in MPP Bartolucci’s Sudbury Constituency Office. After refusing leave, 11 activists were arrested by the police and charged with trespassing. A Sudbury Star reporter was arrested while covering the protest and subsequently released. MPP Bartolucci is quoted in Northern Life saying the protestors are “rabble-rousers”.

FYI – Media reports this weekend indicate that Olivia Chow is considering running to be the next Mayor of Toronto.

Leadership:

- Yesterday MPP Charles Sousa launched his bid to become the next leader of OLP. Media reports indicate that over 400 people were in attendance, including Mississauga MPP Hazel McCallion. In his remarks, Sousa reached out to rural and northern Ontario voters and shared a plan that included job creation, high-speed rail across Southern Ontario and three new university campuses. He also committed to reinstating passenger rail service on the ONTC rail lines. The gas plants, and MPP Sousa’s lobbying to have the gas plants moved, was placed prominently in the Canadian Press, Sun Media and Toronto Star stories about the launch. Sousa said at his announcement “before I was elected, I was opposed to this gas plant ... as an MPP I opposed it, and as a minister I continue to oppose it.”
- Eric Hoskins is expected to enter the OLP race early in the week.
- Former Minister John Wilkinson announced on Saturday that he will not be seeking the leadership.
- Blizzard: Christina uses her Saturday column to examine the last OLP leadership race and -- through an interview with Minister Duncan -- draws lessons for the current race. Christina says the 1996 convention was “the worst of time for the Liberals. Under the leadership of McLeod, they’d blown an election that should have been a slam dunk for them.” She quotes extensively from Minister Duncan

who tells of your effort to unite the leadership contenders after your victory. Duncan offers the following advice for current contenders, “work hard, enjoy it. It’s actually a wonderful experience in your life.”

- Regg-Cohn: Martin uses his Sunday column to examine the leadership hopes of former MPP Sandra Pupatello. Martin says that Sandra is the presumed front runner, the “putative premier-in-waiting” who has the “virtue of being, if not quite a fresh face, then an unblemished one – free from the political battle scare borne by her cabinet colleagues who stuck it out.” While these are positives for a potential new leader, Martin argues that Sandra must win the leadership or she won’t stay in politics.
- Toronto Sun Editorial: The Sun’s Saturday Editorial argues that “Ontario doesn’t need a new Liberal leader. It needs a new, non-Liberal government.”

Gas Plant Documents:

On Friday MPP Tabuns issued a press release and held a media availability to accuse the government of “extraordinary stonewalling” on a freedom of information request for correspondence related to the cancellation of the Mississauga and Oakville gas plants. This appeared in the Star, the Sun, the Canadian Press and CTV. MPP Tabuns is concerned that the search did not return responsive records and uses the documents released to the committee as a point of comparison.

- I don’t personally get involved in the FOI process. I leave that to government officials and those responsible for executing the search.
- The NDP always have the right to appeal – they can go to the Information and Privacy Commissioner if they feel the Freedom of Information Process was not properly followed.
- We could spend days doing back and forth with the opposition about every single email in the 56000 pages of documents that were turned over. But I think Ontarians expect us to focus on the things that matter to them: protecting health care and education, strengthening the economy and creating jobs.

Star Autism Series

The Star has launched a major series about autism, highlighting the science behind the disorder and the kinds of services available to treat it. The paper makes the case that an estimated one out of every 88 children are affected by autism but that the level of service provided doesn’t match children’s needs or parents’ demands. The Star highlights various stories of parents who struggled to have their children diagnosed with autism and says that Ontario’s wait lists for support are too long. The paper makes the case that “there is no single clearing house that tracks children in Ontario awaiting assessment, diagnosis and treatment. Parents must navigate a baffling bureaucracy.” In her new role as Minister of Children and Youth Services, Minister Broten will be

speaking to the Star early this week about the supports Ontario has in place and what more we're doing to help parents.

- I know how challenging it can be for parents. You want to make sure your child gets the very best start in life. It's commendable that so many parents work so hard to ensure children with autism get the right diagnosis and the right supports.
- As a government, we do our best to help. We understand the challenges families face and we are determined to make further progress.
- Since 2003, we've more than quadrupled autism investments to over \$186 million.
- We've also tripled the number of children receiving intensive autism therapy.
- It's important to note that many of the young people who are on wait lists for intensive support services are receiving other provincially-funded autism services in the interim.
- We're there for our kids. But we're always looking for ways we can do more.

Douglas, Dave (MGS)

From: Codd-Downey, Beckie (OPO)
Sent: November-09-12 1:04 PM
To: Barton, Neala (OPO); Miller, Laura (OPO)
Subject: FW: Release of Access Decision - FOI Request - PO 12/39

This is when it was sent.

From: Forrest, Jamie (CAB)
Sent: Tuesday, November 06, 2012 8:05 AM
To: Codd-Downey, Beckie (OPO); MacKenzie, Rebecca (OPO); Bromm, William (CAB); Hume, Steen (CAB); Fuller, Shannon (CAB); Fenton, Tannis (CAB); Sumi, Craig (CAB)
Cc: Matela, Angelo (CAB); Hwang, Wendy (CAB)
Subject: Release of Access Decision - FOI Request - PO 12/39

FYI

Tomorrow, the requester will be advised that access to the requested records (see description below) cannot be granted as the records do not exist.

Please let me know if you would like more information.

Thanks,
Jamie Forrest
Coordinator, FOI and Issues
Cabinet Office
(416) 326-2672

From: Forrest, Jamie (CAB)
Sent: October 10, 2012 9:40 AM
To: Bromm, William (CAB) (William.Bromm2@ontario.ca); Hume, Steen (CAB); Fuller, Shannon (CAB); Fenton, Tannis (CAB); Sumi, Craig (CAB) (Craig.Sumi@ontario.ca)
Cc: Matela, Angelo (CAB); Hwang, Wendy (CAB)
Subject: New FOI Request - PO 12/39

FYI

A political party has requested access to the following information from the Office of the Premier: emails, memoranda, Outlook Calendar Invitations making reference to "Project Vapour" or "Project Vapor" during the calendar years of 2010, 2011 and 2012.

Processing is underway.

Please let me know if you would like more information.

Thanks,
Jamie Forrest
Coordinator, FOI and Issues
Cabinet Office
(416) 326-2672

Douglas, Dave (MGS)

From: McCann, Wendy (OPO)
Sent: November-09-12 12:57 PM
To: MacKenzie, Rebecca (OPO); Barton, Neala (OPO)
Cc: Miller, Laura (OPO)
Subject: RE: Toronto star

Do we have someone to go on camera to say that?

-----Original Message-----

From: MacKenzie, Rebecca (OPO)
Sent: November-09-12 12:54 PM
To: Miller, Laura (OPO); McCann, Wendy (OPO)
Cc: Barton, Neala (OPO)
Subject: Re: Toronto star

The emails the NDP have put forward are between former staff. Their inboxes are deleted when they leave government

----- Original Message -----

From: Miller, Laura (OPO)
Sent: Friday, November 09, 2012 12:49 PM
To: MacKenzie, Rebecca (OPO); McCann, Wendy (OPO)
Cc: Barton, Neala (OPO)
Subject: Re: Toronto star

How are we responding?

----- Original Message -----

From: MacKenzie, Rebecca (OPO)
Sent: Friday, November 09, 2012 12:46 PM
To: Miller, Laura (OPO); McCann, Wendy (OPO)
Cc: Barton, Neala (OPO)
Subject: Fw: Toronto star

Star has story up too

----- Original Message -----

From: Forgione, Andrew (ENERGY)
Sent: Friday, November 09, 2012 12:32 PM
To: MacKenzie, Rebecca (OPO); Ramey, Lauren (OPO)
Subject: Toronto star

Alex Ballingall November 09, 2012

The NDP is accusing Premier Dalton McGuinty of “extraordinary stonewalling” after a freedom of information request for documents on the controversial cancellation of two gas plants — code-named “Project Vapour” — came back with nothing.

“We received notice back that no such documents exist,” said New Democrat MPP Peter Tabuns, noting emails on Project Vapour have already been released.

"If it wasn't so Kafkaesque it would be completely farcical."

Tabuns told reporters that previously released emails from the premier's office prove "without a doubt" that there are more documents relating to the Liberals' hotly-disputed decision to cancel construction of gas plants in Oakville and Mississauga, costing taxpayers at least \$230 million.

Tabuns said he doesn't rule out Liberal "incompetence" to explain why his party's request for information reaped nothing.

The minority Liberal government released 56,000 documents about the cancelled plants in September and October under an order by the speaker of the legislature. They show code names "Project Vapour" and "Project Apple" were used in talks about the gas plants between high level political staffers and bureaucrats, including McGuinty's chief of staff.

The premier's office could not be immediately reached for comment.

Progressive Conservative Leader Tim Hudak, speaking Friday outside his Queen's Park office, accused the government of hiding the truth from the public.

"This is more evidence of a government that's engaging in an orchestrated cover-up," he said. "They don't want people to know the facts of the issue."

All committee hearings at Queen's Park, including those examining the gas plant cancellations, were disbanded following McGuinty's prorogation of the legislature on Oct. 15.

The opposition called on McGuinty, and the leadership candidates vying to replace him, to recall the legislature so that a committee can further investigate the cost of the gas plant cancellations.

Douglas, Dave (MGS)

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Sent: November-09-12 12:54 PM
To: Miller, Laura (OPO); McCann, Wendy (OPO)
Cc: Barton, Neala (OPO)
Subject: Re: Toronto star

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Douglas, Dave (MGS)

From: McCann, Wendy (OPO)
Sent: November-06-12 10:26 AM
To: Miller, Laura (OPO)
Subject: MOD

The well is a bit dry today.

Can you let me know which of these options you prefer: (or if you have a better suggestion)

- we've been hard at work since prorogation. AMAPCEO agreements signed, pension plan agreements completed, hiring new mental health workers, launched a new immigration strategy, etc. A 'government still at work message'.
- Use the space to review the facts about gas plants, and re-state our number, using language from the Bradley letter and the Premier's scrum.
- Party renewal, "now that we have candidates..." we're so excited about renewing our party, etc.

Wendy McCann
Executive Director of Communications
Premier Dalton McGuinty's Office
416-325-6734

Douglas, Dave (MGS)

From: Phillips, David (GHLO)
Sent: October-29-12 2:17 PM
To: Livingston, David (OPO)
Cc: Miller, Laura (OPO)
Subject: Memo from DP to DL re Gas Plant Legal Options - October 29, 2012
Attachments: Memo from DP to DL re Gas Plant Legal Options - October 29, 2012.docx

David:

As requested, I have prepared the attached memo that provides an overview of some of our legal and parliamentary procedural options regarding the threats made against Minister Bentley and the allegations made against Premier McGuinty in recent weeks re gas plants.

Please let me know if you have any questions or would like any further work completed on this.

Thanks,
Dave

CONFIDENTIAL MEMORANDUM – GOVERNMENT HOUSE LEADER'S OFFICE

TO: DAVID LIVINGSTON, CHIEF OF STAFF, OFFICE OF THE PREMIER

FROM: DAVID PHILLIPS, DIRECTOR OF LEGISLATIVE AFFAIRS AND CHIEF OF STAFF TO THE GOVERNMENT HOUSE LEADER

CC: LAURA MILLER, DEPUTY CHIEF OF STAFF (STRATEGY AND COMMUNICATIONS), OFFICE OF THE PREMIER

SUBJECT: LEGAL OPTIONS RE OPPOSITION TACTICS RELATING TO RELOCATION OF OAKVILLE AND MISSISSAUGA GAS PLANTS

DATE: OCTOBER 29, 2012

Introduction

You have asked me to identify and assess potential legal and legislative/procedural options that may be deployed in response to the hostile political tactics of Tim Hudak and the Ontario PC Party concerning the decision to cancel and relocate the Oakville and Mississauga gas plants.

Below, I have reviewed two principal options that may be considered, particularly relating to the constitutionality/legality of prospective contempt proceedings against Minister Bentley and the legality of recent public comments made by Tim Hudak regarding Premier McGuinty's involvement in this matter.

The options presented below do not constitute legal advice. As such, this memorandum does not specifically opine or advise on the likely legal outcome of any of the proposed options. Should any of these options be seriously considered, I recommend obtaining a formal legal opinion as a next step.

Background

In recent months, the opposition parties – lead primarily by Tim Hudak and the Ontario PCs – have aggressively attacked the government on a series of issues relating to the decision to cancel and relocate two proposed natural-gas fired generation facilities in Oakville and Mississauga.

Until recently, opposition and media scrutiny has focused on why the decision was made to cancel the projects, whether the Premier and his senior political staff were involved in the decisions, and how much the decisions will cost taxpayers and ratepayers. More recently, however, the debate has shifted significantly to address (i) the government's alleged refusal to produce government records that were ordered by the opposition in May 2012 to be produced by the government; and (ii) the Premier's decision to prorogue the Legislature approximately one week before the scheduled start of a committee investigation into contempt charges against Minister Bentley.

The Tories' political tactics and theatrics on this matter have been hostile and overly personal, but have generally fallen within the parameters of "fair ball". Their threats of disbarment and incarceration against Minister Bentley and recent pursuit of direct allegations of an "orchestrated cover-up" by Premier McGuinty, however, have caused the Tories to potentially cross the line from a legal standpoint and have given rise to potential legal options for the government.

i. Threats of Disbarment/Incarceration Against Minister Bentley

The Tories have embarked on a vindictive and callous attack on the integrity, career, and, at worst, liberty of Minister Bentley. Most seriously, they have leveled threats of using the archaic investigatory processes and disciplinary powers of legislative committees to ruin his reputation, strip him of his license to practice law, and even to imprison him.

For example, during Question Period on September 20, 2012, PC House Leader Jim Wilson said, *"I'd like to inform the minister that the Legislative Assembly Act empowers this House with many of the same powers of punishment as a court of law. I can assure the minister, as the opposition House leader, that we will be pursuing each and every one of those powers"*.¹

Further, a PC press release dated September 23, 2012, expressly raised the prospect of a jail sentence in this matter, followed by a quote from MPP Wilson in which he stated: *"The consequences for this outrageous abuse of power are severe for a reason"*. Approximately one week later, when asked during a radio interview whether Minister Bentley was likely to face jail time, Tim Hudak refused to rule it out, stating: *"That'll be up to the committee members"*.

The PCs also made a number of threats to use the committee process to pursue the disbarment of Minister Bentley. On September 20, 2012, MPP Wilson stated the following: *"Speaker, the minister was once the Attorney General of this province. He's a lawyer by profession. He knows full well what the ramifications of being held in contempt are. He knows that he could lose his licence to practise law. He knows that he could be expelled from the Law Society of Upper Canada."*

Later, in an interview with Steve Garrison on CJBK Radio on October 3, 2012, Tim Hudak stated the following:

¹ Section 46 of the *Legislative Assembly Act* states: The Assembly has all the rights and privileges of a court of record for the purposes of summarily inquiring into and punishing, as breaches of privilege or as contempts....

Garrison: *Just one final question, Bentley, if found guilty of contempt, could have jail time, could be disbarred as a lawyer. Do I have those two stories wrong?*

Hudak: *No, you're accurate....*

ii. Allegations Against Premier McGuinty

The second area where the PCs have potentially crossed the line relates to a series of allegations made against Premier McGuinty of an "orchestrated cover-up" regarding the production of gas plant documents, despite the complete absence of any evidence to support the allegations. In addition, the Tories have made allegations that the Premier was involved in "buying" the last election and of "lying" to the people of Ontario.

For example, in an *Ottawa Citizen* story, dated October 25, 2012, Hudak directly alleged that the Premier was engaged in a "cover-up". He stated: *"Dalton McGuinty decided to close down the legislature a week before (a legislative) committee was going to investigate the gas plant scandal. Not only did Dalton McGuinty misuse a billion dollars of taxpayers' money, he tried to paper it over, cover it up, (and) keep the details from the public."*

Earlier, in an open letter sent from Tim Hudak to Premier McGuinty on October 14, 2012, Hudak alleged that the Premier was involved in, and responsible for, a cover-up: *"Premier, you are solely responsible for ensuring your ministers conduct themselves befitting the office they hold... Their continued and deliberate cover up of these facts and supporting documents sends a devastating signal to the job creators and future investors in our province."* He later stated in the same letter:

I am calling on you today to finally bring this matter to a close after months of reckless mismanagement by doing the following:

- *Take responsibility for your role in this cover up, apologize and come clean on your involvement in the political and costly decision to relocate these power plants; and*
- *Put an end to the secrecy and deception by releasing all documents immediately, including those from your office, the Minister's Office and political staff, without exception or redaction.*

The next day, the opening paragraph in a Canadian Press story stated: *"Progressive Conservative Leader Tim Hudak says Premier Dalton McGuinty "lied" to the legislature to "cover up" the true cost of cancelling power plants in Oakville and Mississauga."*

A number of backbench MPPs – including Todd Smith, Jim Wilson, and Lisa Thomson – have made similar allegations on the record outside of the Legislature.

Legal Options

It is my view that there are two principal legal options that may be considered in relation to the threats that have been made against Minister Bentley and the false allegations made against the Premier. Both options are discussed below.

i. Threats Against Minister Bentley: Court of Appeal Reference

Over the past couple of decades, a growing body of jurisprudence, academic opinion, and journalism has emerged regarding the questionable use of parliamentary privilege as a “sword” to attack the rights of individuals.

In April 2008, an article in the *Ottawa Citizen* said the following: “For years, a handful of parliamentary advisers have argued that the political and civil rights Canadians enjoy under the Charter of Rights and Freedoms are colliding head-on with parliamentary privilege, and have cautioned MPs and senators to ‘modernize’ the scope and power of parliamentary privilege before the courts do it for them”.

A series of recent Supreme Court – most notably the *New Brunswick Broadcasting* and *Vaid* cases - and other appellate-level decisions have provided some clarity regarding the extent to which courts will “pierce” parliamentary privilege for the purpose of upholding Charter rights. To date, however, the courts have not had the opportunity to opine on whether the judiciary can play any role in upholding Charter rights – specifically “the principles of fundamental justice” – in circumstances where either a member or non-member of a legislature faces potential punishment at the hands of a legislative committee.

From a strict legal standpoint, Minister Bentley’s case presents a good opportunity to test this very issue before the courts. The Tories have potentially crossed the line in recent weeks by leveling threats of using the archaic investigatory processes and disciplinary powers of legislative committees to ruin Minister Bentley’s reputation, strip him of his license to practice law, and even to imprison him. Moreover, they made clear through their public statements that there was little likelihood that Minister Bentley would have enjoyed any procedural protections in the proceedings that were due to start on October 24, 2012.

The principal means by which a government can test the legality/constitutionality of important questions of law and public policy is a “judicial reference”. The “reference power” is the ability of a government to ask a direct question of law to a court for its opinion. It is typically used by governments for the purpose of obtaining timely and authoritative advice on important questions of law either in relation to proposed policy/legislation or a pending dispute. In Ontario, the *Courts of Justice Act* permits Cabinet to “refer any question to the Court of Appeal for hearing and consideration” (section 8).

A reference is initiated by means of an Order-in-Council. The OIC includes the specific legal questions that the court is tasked with answering. The case is carried on behalf of the province

by the Attorney General. The length of the process is typically determined by the depth and complexity of the questions posed.

The reference process involves both written and oral submissions to the Court from the province and interveners. The Court provides its ruling in the normal way – i.e. public, written reasons. The ruling is not binding - i.e. it is purely advisory in nature. The process typically take several months, depending on the complexity of the questions and the urgency of issue.

In simplest terms, the proposed reference would likely ask the court to provide an opinion as to the scope of parliamentary privilege as it relates to the well-established, long-entrenched power of the Legislature to “control its own proceedings” and to “punish Members and non-Members for disorderly and disrespectful acts”.

It would ask the court to provide its advice as to whether the Legislature is in any way obligated to reconcile its unquestioned power to both control its own proceedings (which includes the rules of procedure in committee investigations) and impose disciplinary and penal sanctions with the *Charter of Rights and Freedoms* and the rule of law.

The reference would occur in the context of a pending committee investigation that carries the potential – if not the likelihood – of resulting in loss of reputation, career, and, at worst, liberty by an individual following a process that doesn’t come close to contemporary standards of Charter-mandated fairness, as follows:

- there is a risk that an individual could be sentenced to prison for an alleged offence that is relatively minor in nature;
- the decision to imprison would not be made by an impartial, expert adjudicator – rather, it would be made by a biased, partisan majority of opposition members of provincial parliament (it is a basic principle of law that no one should be judge in his/her own cause); and
- the decision to imprison would follow a committee investigation without any semblance of due process and the rule of law – i.e. no right to know the precise allegations, no clear standard of proof, no rules of evidence, no right to call witnesses, no right to examine witnesses, no right to counsel, no right to remain silent, etc.

The proposed judicial reference would raise some very important questions that have been left open by the courts to date. Does the scope of the Legislature’s inherent privilege to punish members and non-members include the power to imprison? Does the scope of the Legislature’s inherent privilege to control its own proceedings allow it to conduct investigations without ensuring any basic procedural fairness/protections for the accused? Does the Legislature have the obligation to “reconcile” the Charter with parliamentary privilege where possible? Does the Legislative Assembly of Ontario have the ability to legislate to ensure that Charter rights are afforded to individuals facing disciplinary proceedings before legislative committees?

To be clear, this area of the law is complex, involves broad questions of law, and is replete with uncertainty. It will require some serious thought from a solid team of counsel before we can get a good sense of the potential outcomes. A critical aspect of this will be how we shape the questions that we refer to the court.

ii. Allegations Against the Premier: Civil Action for the Tort of Defamation

It is my further view that the optimal route by which we could challenge the potentially tortious statements of Tim Hudak and the Ontario PCs regarding the Premier's involvement in the decision to cancel the gas plants and the handling of the release of related documents is the civil tort of defamation.

Defamation is based on the intentional publication of a false statement that is injurious to the plaintiff. The statement may be made by written publication or broadcast (i.e. libel) or by oral presentation (i.e. slander).

Defamation has been used on several occasions by political actors – both for strategic and remedial purposes – in relation to allegedly untrue statements made by third parties or rival politicians outside of the Legislature.

Most notably, in March 2008, Prime Minister Stephen Harper brought an action against the Liberal Party of Canada alleging that the Liberals had made defamatory statements in relation to discussions held between Conservative Party officials and Chuck Cadman to convince him to vote with the Conservatives to defeat the Martin Liberals in exchange for “financial considerations”.

The action was withdrawn by the Prime Minister eleven months later with very little progress having been made in the litigation. Some have suggested that the action was pursued largely for strategic political purposes, not for legitimate legal/remedial purposes. Specifically, it is suggested the action was started to silence the opposition, limit the government's issues management risk, and shift the dispute, at least in part, from the political and legislative spheres to the judicial sphere.

As one author noted, “... the Harper government was able to restrict the negative political repercussions of the bribery allegations by limiting parliamentary review and public exposure of the allegations through judicialization of the dispute”.

The Supreme Court of Canada has very recently upheld the view that politicians, political aides and other public figures have the right to sue if a public comment damages their personal reputation. In *Grant v. Torstar*, the Court held that politicians “cannot reasonably expect to be immune from criticism, some of it harsh and undeserved”, but that participating in public life does not expose a person to “open season on reputation”.

In order to succeed in an action for defamation, a plaintiff must prove three elements: (i) the words complained of were false or conveyed some degrading imputation or had the tendency to harm, injure, disparage, or adversely affect the plaintiff's character; (ii) the statements referred to the plaintiff; and (iii) the statements were published to a third person – i.e. the media, a member of the public.

Defamation laws in Canada are oft-criticized as being too plaintiff-friendly, largely due to the fact that, unlike the United States and many other jurisdictions, it is a “strict liability” offence (i.e. the plaintiff does not have to show that the defendant was culpable). That said, there are at least two well-established defences that make it considerably more difficult to succeed where impugned comments arise out of “political debate”. \

The most relevant defences for our purposes are the defendant’s ability to claim that the impugned comments were (i) fair comment, made honestly and in good faith on a matter of public interest; and/or (ii) made pursuant to a “qualified privilege”, namely that the individual had a social, moral, or legal duty to make the impugned statements.

A cause of action for the tort of defamation is commenced in the usual way in accordance with the Ontario Rules of Civil Procedure, but is very often preceded by a demand letter or “cease and desist” letter from plaintiff’s counsel.

Parliamentary Procedural Options

In addition to the legal options identified above, there may also be parliamentary procedural options that can be pursued upon the return of the Legislature in Spring 2012 as a means of defending against the threats made against Minister Bentley and the allegations made against Premier McGuinty.

Both the Legislature (as a body) and its Members (as individuals) are afforded a series of rights that allow them to perform their parliamentary functions without impediment. These privileges are seen as necessary for the Legislature and its Members to fulfill their constitutionally-protected legislative functions.

One of the privileges enjoyed by all Members is the right to be free from “obstruction, interference, intimidation and molestation”. When the Legislature is in session, a Member has the right to assert privilege where the ability of his/her privileges has been interfered with.

In addition, a Member has the right to assert that “contempt” of the Legislature has occurred where an individual engages in conduct which offends the authority or dignity of the House, even if the conduct does not violate an enumerated privilege.

In Maingot’s *Parliamentary Privilege in Canada*, the author writes that a breach of privilege and/or contempt may be found where a Member is assaulted, menaced, or insulted “on account of his behavior during a proceeding in Parliament”.

Unlike the law of defamation, however, the law of parliamentary privilege requires evidence that the impugned conduct resulted in an actual impediment in the performance of the Member's parliamentary functions. This may include the damaging of a Member's reputation, the intimidation of Members and their staff, and the provision of misleading information as a result of the impugned conduct.

While it is uncommon for a Speaker to rule that a *prima facie* breach of privilege has occurred where it relates to the damaging of a member's reputation, there have been a couple of instances at the federal level in recent years where a successful claim has been made. In 2005, Speaker Milliken ruled that the reputation of a NDP member had been unjustly damaged by a Conservative member who distributed direct mail in the NDP member's riding that contained inaccurate and misleading information about the member's parliamentary and committee activities. In the same year, Speaker Milliken found that the reputation of a Liberal member had been unjustly damaged when a BQ member distributed a householder containing false allegations with respect to the Sponsorship Program.

In the present circumstances, there is most certainly a basis for pursuing points of privilege, both with respect to the comments made against Minister Bentley and Premier McGuinty. Should this option be pursued, I will be happy to prepare a detailed assessment and argument synopsis for your consideration.

I hope you find the above helpful. If you have any questions or require further work to be completed, please let me know.

Douglas, Dave (MGS)

From: Codd-Downey, Beckie (OPO)
Sent: October-24-12 4:38 PM
To: Miller, Laura (OPO); Brodhead, John (OPO); Bardeesy, Karim (OPO); Annis, Kristyn (OPO); McCann, Wendy (OPO); Barton, Neala (OPO); Korbee, Leon (OPO); King, Katherine (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); MacKenzie, Rebecca (OPO); Jephcott, Emily (OPO); Hazelden, Mark (OPO); Gair, Alexandra (OPO); Spafford, Kevin (GHLO); Phillips, David (GHLO)
Subject: RE: Assistance Required re: Freedom of Information Request

Good afternoon,

If you are receiving this I have not heard from you via email if you have completed this request.

Sorry for any repetition if you already sent responses to John.

If you have not completed a search please search your records and respond by **Friday Oct 26th**.

Thanks,

Beckie Codd-Downey
Special Assistant to the Premier
Office of the Premier of Ontario
(w) 416-325-7167
(m) 416-509-1487

From: O'Leary, John (OPO)
Sent: Wednesday, October 10, 2012 1:08 PM
To: Livingston, David (OPO); Miller, Laura (OPO); Brodhead, John (OPO); Bardeesy, Karim (OPO); Annis, Kristyn (OPO); McCann, Wendy (OPO); Barton, Neala (OPO); Korbee, Leon (OPO); Charlebois, Tyler (OPO); King, Katherine (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); MacKenzie, Rebecca (OPO); Ramey, Lauren (OPO); Jephcott, Emily (OPO); Hazelden, Mark (OPO); Gair, Alexandra (OPO); Phillips, David (GHLO); Spafford, Kevin (GHLO)
Cc: Codd-Downey, Beckie (OPO)
Subject: Assistance Required re: Freedom of Information Request

Hello Everyone,

I require your assistance to fulfill a Freedom of Information request.

The request is:

"access to the following information from the Office of the Premier: emails, memoranda, Outlook Calendar Invitations making reference to "Project Vapour" or "Project Vapor" during the calendar years of 2010, 2011 and 2012. "

It is possible you may have information relevant to this request.

Please undertake a search of your records and complete it by October 24. Please contact myself or Beckie Codd-Downie if you have any questions about this request.

Thank you for your assistance,

John

John O'Leary

Manager, Legislative Issues
Office of the Premier of Ontario
P: 416-325-2141

Douglas, Dave (MGS)

From: Gomez, Jorge <jgomez@liberal.ola.org>
Sent: October-22-12 9:47 AM
To: Forgione, Andrew (ENERGY); Kett, Jennifer (ENERGY); Spafford, Kevin (GHLO); MacKenzie, Rebecca (OPO); Ashimi, Eddie (GHLO); Phillips, David (GHLO); O'Leary, John (OPO); Rook, Jennifer (FIN); Miller, Laura (OPO); Grant, Samantha (GHLO); Ramey, Lauren (OPO); Barton, Neala (OPO); Hammond, Bradley (OPO); Davidson, Drew (OPO); O'Connor_Sean; McCann, Wendy (OPO); Clow, Brian; Powers, Dylan; Uranowski, Joseph; Trush, Meagan
Subject: UPDATE.....CANCELLED 10:15 a.m. Horwath Presser
Attachments: 111 NOTICE OF NEWS CONFERENCE.doc

From: Yow, Michele [<mailto:Michele.Yow@ontla.ola.org>]
Sent: Monday, October 22, 2012 09:40 AM
Subject: UPDATE.....CANCELLED 10:15 a.m. Monday, October 22, 2012 PRESS CONFERENCE

MEDIA STUDIO
Monday, October 22, 2012
NDP Leader, Andrea Horwath to talk about Oakville and Mississauga Gas Plants

TIME: 10:15 a.m.

CANCELLED

MEDIA STUDIO PRESS CONFERENCE

Monday, October 22, 2012

**NDP Leader, Andrea Horwath
to talk about Oakville and Mississauga
Gas Plants**

***TIME:* 10:15 a.m.**

Douglas, Dave (MGS)

From: don@artisanresearch.ca
Sent: October-20-12 9:07 PM
To: Miller, Laura (OPO); Chris Morley; 'nbarton@liberal.ola.org'
Cc: Brendan McGuinty
Subject: Re: Media plan this week

Sorry I don't know everything we have.
Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Miller, Laura (OPO)" <Laura.Miller@ontario.ca>
Date: Sun, 21 Oct 2012 01:02:15 +0000
To: 'don@artisanresearch.ca' <don@artisanresearch.ca>;
'chris.morley@rogers.com' <chris.morley@rogers.com>; 'nbarton@liberal.ola.org' <nbarton@liberal.ola.org>
Cc: 'brendan.mcguinty@rogers.blackberry.net' <brendan.mcguinty@rogers.blackberry.net>
Subject: Re: Media plan this week

Great. When you figure it out, we are happy to execute. Thanks.

From: don@artisanresearch.ca [mailto:don@artisanresearch.ca]
Sent: Saturday, October 20, 2012 09:01 PM
To: Miller, Laura (OPO); Chris Morley <chris.morley@rogers.com>; 'nbarton@liberal.ola.org' <nbarton@liberal.ola.org>
Cc: Brendan McGuinty <brendan.mcguinty@rogers.blackberry.net>
Subject: Re: Media plan this week

I was referring to gas plant. The rest we need to sequence out. If we dump it all this week it will backfire on us.
Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Miller, Laura (OPO)" <Laura.Miller@ontario.ca>
Date: Sun, 21 Oct 2012 00:57:42 +0000
To: 'don@artisanresearch.ca' <don@artisanresearch.ca>;
'chris.morley@rogers.com' <chris.morley@rogers.com>; 'nbarton@liberal.ola.org' <nbarton@liberal.ola.org>
Cc: 'brendan.mcguinty@rogers.blackberry.net' <brendan.mcguinty@rogers.blackberry.net>
Subject: Re: Media plan this week

I'm not sure if this is what you mean. But Neala is now apprised of the DH Hydro1 Severance and the Tony Clement being lobbied by his wife. Could deploy this week if you want. Let her know. Thx.

From: don@artisanresearch.ca [mailto:don@artisanresearch.ca]
Sent: Saturday, October 20, 2012 08:54 PM
To: chris.morley@rogers.com <chris.morley@rogers.com>; Neala Barton <nbarton@liberal.ola.org>; Miller, Laura (OPO)
Cc: Brendan McGuinty <brendan.mcguinty@rogers.blackberry.net>
Subject: RE: Media plan this week

This is good. I think we also leak tomorrow that the Premier has been taking calls this weekend and is discussing the leadership with his family with an intention of making a decision early this week.

Innovative will have a negative poll on federal leadership in the media on Monday or Tuesday.

We need a parallel news/controversy plan also for this week that is as salacious as the bullshit.

Finally, we need a daily attack on the Hutton-Hudak connection? Perhaps release a video? Radio ads?

----- Original Message -----

Subject: Media plan this week

From: chris.morley@rogers.com

Date: Sat, October 20, 2012 5:51 pm

To: "Neala Barton" <nbarton@liberal.ola.org>, "Laura.Miller@ontario.ca" <Laura.Miller@ontario.ca>

Cc: "Brendan McGuinty" <brendan.mcguinty@rogers.blackberry.net>, "Don Guy" <don@artisanresearch.ca>

Brendan talked to P. Premier wants to begin to defend and articulate our story.

Neala, think you should work up the following:

1. Monday -- party sets date. Nothing from P.
2. Tuesday -- Premier does Paikin. 25 minute interview. Morley broaches it with Steve directly on Sunday, then kicks over to Neala for execution. We want to force others to cover this I think, or at least watch. (Neala, I can stay out of this entirely if you have a good relationship w Paikin to ensure he puts this in appropriate historical context). Premier good with this.
3. When can we do John Tory asap after Wed? Put him on there to take on the fiscal record, "you know, John, I balanced the budget three times. And I resign at a time when many people chirping from the cheap seats think I'm doing too much to eliminate the deficit left by the great recession. So that makes me think I've gotten it just about right." Premier good with this interview.
4. We'll have to think through Wed avail. His instincts will be to punch back.
5. Depending on Premier's decision (and when to communicate it), we'll have to give Joan Bryden at CP the story that he's decided against running for fed leadership. My gut says he does this Tuesday before Paikin by phone. She's been promised the story either way the decision goes, so he can't blurt it out in a scrum. Premier does not know about this, yet. This is TBD.
6. Next time in Ottawa, we'll do Graham Richardson sit down. Premier will be ok with this.

Neala, does this give you enough to begin to plan a little?

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Douglas, Dave (MGS)

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Cc: Brendan McGuinty <brendan.mcguinty@rogers.blackberry.net>
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Cc: "Brendan McGuinty" <brendan.mcguinty@rogers.blackberry.net>, "Don Guy" <don@artisanresearch.ca>

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Douglas, Dave (MGS)

From: Lake, Kristen (OPO)
Sent: October-19-12 9:49 PM
To: homeoffice@liberal.ola.org
Cc: Barton, Neala (OPO); McCann, Wendy (OPO); Miller, Laura (OPO)
Subject: Q&A for Media Avail on Wednesday
Attachments: 10 22 12 Prorogation and Resignation QA 01.doc

Hi Premier -

Please find attached the Q&As we drafted for Wednesday for your review. As Neala mentioned earlier, these may need additional updates once we have policy/CAB's input on Monday.

Have a great weekend,

Kristen

**Media Avail
Q&As
10 22 2012**

Key messages

- **Our government hasn't been perfect, but when it comes to the big things that families count on us to get right — schools, health care, the environment and the economy — we've gotten it right every time.**
- **Proroguing the legislature will give us a chance to find common ground with the opposition parties, and with our public sector labour partners.**
- **It's time for Terri and me to return to our own lives and it's time for me to make an effort to renew the leadership of our party.**

Q. Why prorogue the house? The opposition is calling it undemocratic. Did you prorogue because you were afraid of what committee would hear about the gas plants?

A. I have the responsibility as Premier to make an ongoing assessment as to whether or not we're making progress with respect to our legislative proceedings.

My conclusion is that of late we're generating a lot more heat than light.

I think this is an important opportunity for us to engage in a cooling off period. It's an opportunity for us to see if we might draft a legislative agenda that would bring the parties together so that we can move forward.

It's also an opportunity to work with our public sector labour partners. If we can't find success there, then we'll see if we might work with the opposition to ensure that when we do return, we'll introduce a legislative plan that will achieve our goal.

Q. You gave a speech to the Building and Construction Trades Council of Ontario on Friday, but didn't put it on your itinerary. Are you trying to duck the media now as well?

A. I was glad to speak at the Building and Construction Trades Council. However it was a private, stakeholder event. That said, I know there's no escaping you all.

Q. Some of your own caucus is saying prorogation isn't the way they would have chosen to go. Kathleen Wynne said no one wanted that. Have you alienated your own caucus?

A. I have been blessed with a tremendous team; I have always valued my caucus for the diversity of their opinions. It has allowed us to strengthen our policies and make sure we're working together to listen to Ontarians.

But it's my job, as leader of the party, to make a decision that allows us to find the best way forward.

Of late we're generating a lot more heat than light.

I think this is an important opportunity for us to engage in a cooling off period. It's an opportunity for us to see if we might draft a legislative agenda that would bring the parties together so that we can move forward.

It's also an opportunity to work with our public sector labour partners. If we can't find success there, then we'll see if we might work with the opposition to ensure that when we do return, we'll introduce a legislative plan that will achieve our goal.

Q. When will the legislature resume? Traditionally when political parties prorogue they give the LG a date. Why won't you? How could you keep this from the public?

A. My successor will make that decision. The leadership convention will take place on XXX.

Suspending the house gives us time for negotiations with hundreds of thousands of public sector workers in an atmosphere that is free of the heightened rancour or politics.

When the legislature returns, we will either have negotiated agreements in hand, or a firm sense of what the opposition will support.

Q. Mike Harris never asked his cabinet ministers to quit in exchange for a leadership bid, and it's not traditional to do so. Why are you insisting on that?

A. Ministers need to be focused on their job. That's in the best interests of Ontario families and our government.

Likewise, I would hope that candidates running for the leadership of the Ontario Liberal Party would devote their entire heart and soul to it.

But when it comes to governing, we still have a lot of work to do.

Q. You won't deny a run for the federal Liberal leadership. Are you going to throw in your name, or are you trying to create a diversion from the gas plant scandal?

A. I'm not making any plans whatsoever beyond my term of duty here at Queen's Park. I'm going to stay focused on my responsibilities here. Ontario families expect nothing less.

Q. There are those who would say you're not exactly leaving in a blaze of glory. Friday your government releases 20,000 missing gas plant documents, and Monday you quit. The opposition says you quit as part of a huge cover-up regarding "Project Vapour?"

A. We made a decision to put in place 17 gas plants. We got two of those wrong.

The communities made some strong, reasonable arguments as to why the plants should not be located there. We listened to those communities, and we made a decision. I stand by those decisions.

It's not unlike the decision made by Mike Harris to shut down the subway line at a cost of \$270 million. And there's the Red Hill Creek expressway shut down by the NDP at a cost of \$70 million dollars.

Political parties and governments make decisions to move ahead with some projects, to shutdown others. We've been clear about cost — there's nothing disputing the \$40 million cost of relocating the plant.

It would have been nice to get that right in the first instance, and we'll make sure that that doesn't happen again.

Q. The opposition says there are more documents, and are demanding you hand them over. Are there more to come? Why would we believe you if you say no, when you said that before?

A. We regret that not all documents were captured in first search, but it's always useful to look at the facts versus insinuating motives, as the opposition is doing.

No one at the political level was involved in the search process. That's how it should be. We relied on assurances from the OPA and the Ministry that a thorough and comprehensive search was conducted.

Once a new search uncovered more documents, they were released as soon as possible.

We believed that the first search uncovered all the documents and we had no reason to doubt that.

Q. Why did your highest-level officials assign code names to the gas plant deals? If you had nothing to hide, why couldn't you just call them by their real names? What else do you refer to in code names?

A. It's routine practice that commercial negotiations, particularly those with publicly-traded companies, are assigned project names that are used by both officials and political staff.

It's something the Tories have done in past — when they were in discussions about privatizing Hydro One, for example.

After two thorough searches, 56,000 responsive pages of documents have been released, including those with reference to 'Project Vapour' and 'Project Apple'

All of these documents are subject to the FOI process regardless of what project name is assigned.

Q. You said you prorogued the legislature so you could concentrate on ironing out wage deals with the unions. What's the status of those talks?

A. Liberal MPPs are still hard at work — we're driving forward to balance the budget and eliminate the deficit by securing labour agreements with our labour partners.

Already last week, the Association of Management, Administrative and Professional Crown Employees of Ontario (AMAPCEO) ratified a negotiated deal that includes a two-year salary freeze. We're proud of that progress.

But we have more work to do, and we're going to use this legislative pause to keep talking with our public sector partners and secure new agreements that freeze wages.

Q. This can't exactly be the exit you had envisioned for yourself. How do you want to be remembered? What should the history books say about your legacy?

A. I will leave it to others to determine that.

Each time I travel outside our country and I meet people in Japan, China, Pakistan, the United States, and in Europe, I meet colleagues who would love to have my challenges and my opportunities.

And so I will leave others to speak on my successes.

But for me, having the privilege of working here for so long in the Legislative Assembly of the Province of Ontario in the country of Canada has been a tremendous honour.

Q. Teachers are saying they'll do only the bare minimum when it comes to report cards this season. Do you think it's fair to parents?

A. We've been clear for a long time — our focus is on protecting the classroom experience for our learners.

We have made some great accomplishment working with our education partners — our schools are the best in the English speaking world. Test scores are up, classrooms are smaller and more people than ever are going on to get a postsecondary education.

The bare minimum in this case is not acceptable — report cards are an important part of school feedback for our learners. I understand there will be disagreements but we continue to implore teachers to keep these disagreements between us, and leave our students out of it.

Douglas, Dave (MGS)

From: Barton, Neala (OPO)
Sent: October-19-12 5:12 PM
To: homeoffice@liberal.ola.org
Cc: Miller, Laura (OPO); McCann, Wendy (OPO)
Subject: As requested
Attachments: mis&oak.update.docx

Hello Premier,

Attached, you'll find a narrative about the decision to relocate both the Mississauga and Oakville plants, along with some quotes from the opposition and transcripts of your media availabilities.

I hope this is what you were looking for. If not, please let me know and I'll gladly follow up.

Thanks,

Neala

Premier,

I have divided this note into three sections which are hopefully helpful as you think about the gas plant issue.

First, I wrote a quick timeline of events, in narrative form, that show the development of the issue.

Second, you'll find the opposition's quotes about both plants, as requested.

Third, you'll find three transcripts from relevant media availabilities that occurred:

- 1) After the relocation of the Mississauga plant
- 2) After the relocation of the Oakville plant
- 3) Before the house voted on the contempt motion against Minister Bentley.

Please let me know if you need anything further.

Thanks,

Neala

1) TIMELINE (as a narrative)

- Over my time in government, we committed to building 17 gas plants in Ontario.
- Two of them — one in Mississauga, one in Oakville — didn't move forward.
- That's because there was strong community opposition. The people of Mississauga and Oakville didn't want those gas plants in their communities. And they made that clear.
- As a government, we're elected to listen. We couldn't ignore the communities' wishes and their opposition.
- So, we did the right thing. We cancelled the Oakville plant first, in October 2010, and made a commitment to relocate the Mississauga plant during the last election.
- The opposition parties made that same commitment.
- We worked hard with the plants' developers to relocate them to other areas of Ontario. And we were successful on that front.
- The Oakville plant will be relocated to eastern Ontario at a cost of \$40 million. The Mississauga plant will be built near Sarnia at a cost of \$190 million.

- Along the way, we did what we could to give the opposition the information they wanted about the relocation.
- But we had to respect the commercial sensitivity of the information. And we wanted to make sure we got the very best result for taxpayers; we didn't want to jeopardize our negotiations.
- So, when the opposition made a request for thousands and thousands of documents related to these deals, we waited until we'd concluded commercial negotiations — and successfully relocated both plants — before releasing them publicly.
- The OPA and the Ministry did a thorough search for the documents requested — and turned over more than 36,000 pages to the opposition and the media.
- And, as soon as the OPA and the Ministry became aware that some documents were missed in the initial search process, they undertook another search and turned over an additional 20,000 pages to the opposition. We honoured our commitment to the opposition and the legislature.
- We did our best along the way to meet the needs of everyone involved — whether it was the people of Oakville and Mississauga, taxpayers, or the PCs and NDP.
- We made two decisions for the right reasons and we stood by them, every step of the way.

2) OPPOSITION QUOTES

Mississauga — Opposition Quotes

PC:

"We've opposed these projects in Oakville and Mississauga" (Tim Hudak, The Globe and Mail, September 25th, 2011)

"A Tim Hudak Government will cancel this plant." – (PC Press Release September 24th, 2011)

"A PC government would go to willing communities like Nanticoke and Lambton, which already have transmission lines and a workforce at power production facilities" (Tim Hudak, CBC News, Oct 5th, 2011)

NDP:

"We wouldn't build it." (MPP Peter Tabuns, September 26, 2011, insidetoronto.com)

Oakville — Opposition quotes

PC – pre-announcement:

"The people of Oakville have told you they don't want the proposed gas-fired power plant...and I agree with them."(**MPP Ted Chudleigh, Hansard, June 1, 2010**)

"The potential for future alternate generation at Nanticoke to replace that slated for the proposed and disputed Clarkson plant should receive ample consideration" – **MPP Toby Barrett, Letter to Min. Duguid, June 21, 2010**

"Minister, will you move the Oakville power plant? ...I am asking the Minister to consider moving this plant."(**MPP Ted Chudleigh, Press Release, September 14, 2010**)

PC – post-announcement:

"We've opposed these projects in Oakville and Mississauga" - **MPP Tim Hudak, September 25, 2011, Globe and Mail**

"I was pleased when it was cancelled" – **MPP Ted Chudleigh, Hansard, October 19, 2010.**

NDP — Pre-Announcement:

"Gas plants should only be a last resort and should be built away from densely populated areas" **Ontario NDP Leader Andrea Horwath. March 3rd, 2010, Globe and Mail.**

NDP — Post- Announcement

"I don't agree with Oakville power plant. I don't think it is necessary" – **MPP Peter Tabuns, Inside Halton, October 7th, 2010**

"New Democrats actually have thought for a long time that that plant should never have been built and we've said so" – **Andrea Horwath, Hansard, October 18, 2010**

"I'm glad that the people of Oakville came to their senses. I'm glad the people of Oakville hired Erin Brockovich and did all the things that they did in order to have this killed" – **MPP Michael Prue, December 2, 2010, Hansard**

3) MEDIA AVAILABILITIES

PREMIER'S REMARKS AND AVAIL IN GUELPH

Date: July 17, 2012

**Note: this was your first media availability after it was revealed that the cost of relocating the Mississauga gas plant would be \$190 million.*

Q. Premier, on another subject, the Finance Minister said yesterday that you're the, he fingered you at the culprit in the man who made the call for the closure of that Mississauga gas plant that is costing taxpayers \$180-million dollars and plus an additional \$10-million dollars, so \$190-million dollars in total. Is the Liberal Party going to contribute toward that tab do you think? Do you think they should?

Premier McGuinty: I take responsibility for that decision. They were two decisions made. One in the context of the campaign. I made that decision at that time in my capacity as leader of our party. As did the leaders of the other two political parties. When we got the great honour of serving Ontarians as their government, I then made the decision as head of the government, as Premier, to honour the commitment that we had made in the context of a campaign. That's what happened.

Q. (inaudible) like a pretty cynical ploy by the government a week before the election to spend \$190-million dollars in the end to save seats in that area. Is that not what it is?

Premier McGuinty: Well, we made a number of commitments, we listened to Ontarians. We committed for example to spend money, to expand full-day-kindergarten, we're delivering on that, we made a commitment to invest in lowering the cost of tuition fees. We're delivering on that. We made a commitment to expand homecare. There's a cost associated with that, we're delivering on that. We made a commitment to shut down a gas plant and to relocate that. We listened to Ontarians who made a very compelling case, that events had overtaken the original decision made some six years ago. Some significant new changes were there to be seen by all in the community. We made that commitment. We're now honouring that commitment, and yes, there's a cost associated with that.

Q. (inaudible) \$190-million dollars, can it go any higher?

Premier McGuinty: \$190-million dollars is the cost.

Q. (inaudible) \$190-million dollar cost, it was originally told to us that it was \$180-million dollars, but it was fully known that in fact there was another \$10-million that the OPA had advanced to Eastern Power. Can you describe that announcement as anything but dishonest?

Premier McGuinty: I think there was some genuine confusion associated with that. So I would not characterise it in the way that you have. There are in fact, two resolutions that had been lumped together, hence the source of confusion. \$180-million dollars has to do with the cost of relocating the plant. \$10-million dollars has to do with the cost of another contractual arrangement for a Keele Valley gas plant and so there was an effort made to deal with both outstanding matters in one, at one time, and so hence the \$180-million versus the \$190-million. I think the important thing is, that people understand that we're talking about \$190-million dollars. Nobody's denying that and we can spend a lot of time trying to figure out how much precisely is associated with the Keele Valley location and how much precisely is associated with the Mississauga location. But I can say \$180-million dollars without a shadow of doubt is connected to the Mississauga gas plant. But the important thing from my mother's perspective is, we're talking \$190-million dollars here. Now we can pretend, you know, how much is here and how much is there. But from a taxpayer perspective, we're talking \$190-million dollars. And I don't think we should try to get away from that. Right? Are you with me on that?

Q. Yeah, I'm with you.

Premier McGuinty: So we're talking \$190-million dollars and one of the things that we do of course as a matter of our budgeting, is to ensure that we have in place, a necessary contingency funds and reserves. They total about, about one and a half billion dollars, this \$190-million dollars will have to come from there.

PREMIER'S REMARKS AND AVAILABILITY IN OAKVILLE

Date: September 25, 2012

**Note: this was your first media availability after it was announced that the cost of relocating the Oakville plant would be \$190 million. This narrative landed well in the media*

PREMIER DALTON MCGUINITY: I want to take the opportunity to thank the Citizens for Clean Air for coming together, working hard, making a powerful and compelling representation on the part of families in this community on helping us to understand that we didn't get it right in the first instance. You will know that as part of our plan to renew the electricity system in Ontario we are renewing close to 80 per cent of it. So we have

built some 10,000 megawatts of new generation, some 5000 kilometres of new transition lines. In that new generation, we've built 17 new gas plants.

Two of those we did not get right — including the one here in Oakville. Just by way of a little bit of history, in 2008, the original decision was made to locate the gas plant here. In 2009, we introduced a new Green Energy Act. Under that act — under a particular standard which formed part of that act, we would not have been able to locate one single two-megawatt wind turbine here in Oakville where we had planned to put in place a 900-megawatt gas plant. So our standards had overtaken us in a very real sense.

So we made a commitment to this community. We listened, we learned, we understood that we had overstepped ourselves in terms of trying to put a plant that big that was some 500 or 600 metres away from a school. There were homes in the vicinity, as well as businesses. So we made a decision to relocate. There is a cost associated with that. We take responsibility for that.

Our electricity system rebuild, our long-term plan, costs about \$96 billion. We are going to try to get everything done perfectly; not a single misstep. But that is a pretty hard thing to do. So as I say, we built 17 gas plants. Two of them we did not get right. There are costs associated with their relocations. We take responsibility for that.

We think it's right for us to listen to communities when they express their concerns. It's right for us to listen to those communities, develop a real understanding as to whether or not we should go ahead with those particular plants. We decided the best thing to do was to pull away from those and relocate those two plants.

Q: Premier, when you announced the Green Energy Act, you said specifically you would not allow NIMBYism to play any role in the location of these types of projects, yet that is exactly what we've seen happen here. And it has cost taxpayers \$40 million for this riding and \$190 million in the next riding over. Do you not think that these were — and you have not addressed this here — purely political decisions to save Liberal seats? That is the charge. Do you agree with that assessment?

PREMIER DALTON MCGUINITY: (Inaudible) 17 plants; refurbishing nuclear plants; expanding capacity in our hydroelectric system — Niagara Falls; building something new in northern Ontario; putting upwind turbines, solar panels. A lot of these have generated a lot of controversy. Not just these two particular gas plants. And we came to the conclusion that these two gas plants were different from the other 17. These two were not properly sited in the first instance and that our responsibility as a government was to acknowledge that and to get it right. That is why we did it.

Q: (Inaudible) political decision. You are saying it was not to save Liberal seats?

PREMIER DALTON MCGUINITY: It was all about getting it right. It was also about listening to the community, about understanding the impact this would have on the air shed, understanding the impact this would have on people living in this community, all about understanding our accountability. I mean, ultimately, if we choose to stand for anything when it comes to electricity and energy in the province of Ontario — just stop there for a second, guys? Are we back up?

UNIDENTIFIED SPEAKER: We're good. It wasn't coming from the speakers. The audio was (inaudible).

PREMIER DALTON MCGUINITY: Okay. Ultimately, if we would like to stand for anything at all when it comes to electricity in the province of Ontario and the changes that we've made and the directions that we are pursuing, it is about cleaner and greener all the time. In these particular cases, those two particular cases we were clearly not getting it right.

Q: [Speaking French] (Inaudible) taking responsibility for the money (inaudible) supplementary (inaudible) to spend. Do you regret this?

PREMIER DALTON MCGUINITY: [Speaking French] I take responsibility for having made the decisions first but these were not good decisions. So we listened to the populations of the two communities. We changed our mind. It's true that there are costs associated with us changing our mind, and I accept responsibility for that. We're talking about, keep in mind, we're talking about an investment of more than \$96-billion dollars to renew our electricity system. In an ideal world, it would be possible to move ahead with this investment without error, in a perfect manner. But we made mistakes, I recognise this, I recognise as well that there are costs associate with this.

Q: [Speaking French] Are the \$40-million dollars that you're paying to (inaudible) are worth it?

PREMIER DALTON MCGUINITY: [Speaking French] It's always important, at the end of the day, to do the right thing.

Q: Premier, was the \$230 million of taxpayers' money well spent?

PREMIER DALTON MCGUINITY: I think if you take a look again at the fact that we've sited 17 gas plants, that we're talking about a 96 or 97 billion dollar, massive investment in the renewal of the Ontario electricity system that involves shutting down coal, investing in clean, green electricity, refurbishing our nuclear plants, expanding transmission lines, and the like — in an ideal world we would get every single one of the thousand or so steps involved in the renewal of the system perfectly. But we don't live that world; we live in this one. And we made two missteps. We recognized that, we acknowledged that. We think it's important — others may see this differently — we actually think it's important to listen to communities. And I want to acknowledge the support we received from the opposition parties, both in this community and in Mississauga as well, with respect to the decisions that were taken. And so we are confident that we are doing the right thing for the right reasons.

Q: But the \$230 million —

PREMIER DALTON MCGUINITY: Are there costs associated with this? Yes, there are. Would we prefer not to have any costs associated with this? Yes, we would.

Q: Are you going to have to build new transmission lines to bring power to southwestern Ontario?

PREMIER DALTON MCGUINITY: Are you talking about the relocation of --

Q: The relocated plant near Kingston, are you going to have to build new lines to bring that power to southwest --

PREMIER DALTON MCGUINITY: What I can speak to is the cost associated with relocating this particular plant is \$40 million.

Q: You don't seem very contrite about -- this is \$230 million at a time when you are always going on about balancing the budget and reducing costs. I don't see any indication from you that this is a lot of money.

PREMIER DALTON MCGUINITY: Well, I think it is a lot of money. And we do acknowledge that we did not get it right the first time. And we will learn from this experience. And we will continue to do everything we can to reach out to communities and listen to them and understand their concerns at an earlier point in time, especially when it comes to locating gas plants.

Q: (Inaudible) changing your mind. On the Alberta oil sands, you have a Minister going to Alberta to talk about how great the oil sands could be for the Ontario and Alberta economies. Earlier, you had a very different message. What changed your mind?

PREMIER DALTON MCGUINITY: I don't think I had a different message. I think what I said originally was that it's -- from a short-term perspective, it is in the interest of Ontario, the Ontario economy, that we have a dollar with a lower value. That is just wishful thinking. We live in this world where we have a high dollar. And the fact of the matter is the people of Alberta are going to develop their natural resource. That's a non-negotiable. The issue is can Ontario businesses and Ontario families participate (inaudible) develop out of that resource in a way that strengthens our economy and creates jobs for us? And I think we can and should be part of that. And that is why I think there is an exciting opportunity and that's why I think it's responsible for the Minister of Finance to be out there, to get a better understanding of what is happening and to see in what way we might participate in the development of that resource in the most environmentally responsible way.

Q: (Inaudible) Minister Bentley. Minister Bentley is in the house today being -- he's not in the house actually but there is a motion being debated in the house that will find him in contempt, or could find him in contempt. He wasn't the Energy Minister when these decisions were made. Do you have any sympathy for him that he is the one being thrown under the bus to stand for your Liberal party's decision?

PREMIER DALTON MCGUINITY: My concern is really for the people of Ontario. There was a ruling made by the speaker. We have honoured that ruling fully, both in letter and in spirit. We have provided all of the documentation in question and now the opposition intend to write-off on this for some reason unbeknownst to me. I think they have sidetracked the legislature. I think that we have more pressing public business to do, including, for example, today we had scheduled third reading vote on the healthy home renovation tax credit, which once that is in place provides Ontario seniors with up to \$1500 by way of a tax credit to retrofit their homes so they are safer and more secure

for them as they live out their years. It would also create over 10,000 jobs on an annual basis. (Inaudible) industry, so I think we should be on to those kinds of things. I think Ontarians, if given the opportunity to understand what we are talking about here, the ruling, the cause for the ruling – I think the ruling was fair. I think we've complied with the ruling. I think it's time to move on now with the people's business.

Q: What do you say to the people at home who are just looking at this and they are seeing political posturing all over the place, both with the documents and the dollar signs coming out of Queen's Park with the cost of the Oakville plant?

PREMIER DALTON MCGUINITY: I think the opposition had a good point about ensuring that ultimately we produced the documentation. As you well know, our concern was that in addition to the public's right to the documentation, taxpayers also had a right to ensure that we kept the cost as low as we possibly could. We have achieved on both fronts now. So we've kept the cost as low as we could. We have produced the necessary documentation. I think it's time to get on with the people's business now.

Q: (Inaudible) tie up the house as Minister Gerretsen said today for even years. Is there a chance that this session — this dog won't hunt — it is time to pull the plug on the whole government?

PREMIER DALTON MCGUINITY: I hope not. I hope that this is not another case – just a new and more creative way to ring the bells. They did a lot of that before. My concern is that when you run out of positive, constructive ideas, if you got nothing to propose by way of a new, positive initiative, that you resort to obstructionism. So I'm hoping that the opposition will have their fun, come to their senses, and recognize that we've got to move beyond this. The government did in fact comply with the Speaker's ruling. We do acknowledge the missteps that we made with respect to the original plans to site these two gas plants, and now let's get on with the public's business.

Q: Will you speak in the debate in Minister Bentley's defence?

PREMIER DALTON MCGUINITY: I'll speak right here on behalf of Mr. Bentley. I couldn't be more proud of Minister Bentley. He is nothing if not thoughtful. In a scrum you could actually, if you listen carefully, hear him think. He weighs the issues very, very carefully. He is nothing if not sincere and earnest. And what he was trying to do here was to reconcile two competing interests. He wanted to ensure that we provided all documentation to Ontarians but he wanted to do it in a way that didn't compromise the interests of taxpayers. So he struggled with that. I commend him for that. Now we've honoured the Speaker's ruling; we've made the documents public. We have settled the matter with the proponent of the gas plant. So he's done a really good job on behalf of Ontarians.

Q: [Speaking French] Are you able to keep Mr. Bentley at the Cabinet table if—

PREMIER DALTON MCGUINITY: [Speaking French] Absolutely. I can always rely on Mr. Bentley.

MEDIA EVENT: PREMIER MEDIA EVENT AHEAD OF CONTEMPT VOTE

October 2, 2012

Statement by Premier McGuinty:

In the 220-year history of our legislature, no House has ever voted to find a fellow Member in contempt, let alone impose a punishment for contempt. Let me put this in some perspective for you. Throughout our colonial past, the War of 1812, the industrialization of our province, the first World War, through prohibition, the Great Depression, the second World War, through the rapid growth of our cities, a series of minority governments, coalitions in the 1970's and 80's, and then the 1990's which saw government held by all three parties, through the advent of the internet, through globalization, and then recession, no Ontario parliament has ever found it appropriate or necessary to take the extreme measure of finding and punishing contempt in relation to an honourable Member. Not until now. So what is the offence that today's Opposition would have us believe warrants this extreme measure? Here are the facts. The Speaker gave Minister Bentley a deadline to release documents related to the cancellation of the Oakville gas plant. He met that deadline. The Opposition asked for all documents. Minister Bentley released all 36,000 pages. The Opposition have gone ahead with their motion anyway. They claim the right to find contempt and punish contempt. They are within their rights to consider this course. But they are wrong to pursue it. Just as it would be wrong for a majority government to use its heavy hand in this way to attack an Opposition MPP, so it is wrong for a majority Opposition to use its heavy hand in this way to attack a member of a government. Ontarians demand better of our legislature. Attacks levelled against Minister Bentley include, and I quote: "I don't believe a word, corrupt behaviour, unending stream of

deceit." Threats against him include: expulsion from the Law Society of Upper Canada, public shaming. And one Opposition House Leader stated, 'this House has many of the same powers of punishment as a court of law. We will be pursuing each and every one of those powers.' These attacks, these threats, this heavy-handed, unprecedented process, using the full force of the legislature against one MPP, these are decidedly not in keeping with the standards and traditions we seek to uphold as honourable members all of the legislature. So I ask for a free vote, so that each and every Member of this parliament is confronted with a stark reality of this motion. Those who vote in favour are saying, 'I believe that Chris Bentley, an MPP who works hard on behalf of his constituents, as we all do, a capable Minister of the Crown, a respected legal figure and member of the bar for 25 years, a husband, father, should be the first Member of Ontario's provincial parliament, the first in 220 years, to suffer this serious indictment, one that would have profound consequences for his career, his reputation, his life.'

SPEAKING IN FRENCH: I would like to tell all MPPs. We are part of a rich and honorable tradition. By honour, we are bound to meet the highest standards. And that requires that we show a little self-restraint in the pursuit of our partisan politics.

SPEAKING IN ENGLISH: I say to all members, we are part of an honourable and rich tradition and we are duty bound to uphold a high standard. Our history, our tradition, our high standards demand that we exercise some restraint in the pursuit of our partisan politics. The Right Honourable John Diefenbaker, Prime Minister of Canada, a top partisan who gave as good as he got, was mindful of the high responsibility we all owe to parliament. He said this of parliament: "One moment it's a cathedral. At another time, there are no words to describe it when it ceases for a short period of time to have any regard to not only parliament but its

	tradition. I have seen it in all its greatness and I have inwardly went over it when it is degraded." So I say to my honourable colleagues and opposition. Let's not degrade our Ontario parliament. Let's not cast aside 220 years of respect for each other. While we can disagree on many issues, I believe fairness, honour, tradition, and respect for all honourable members make plain. It is wrong to use the full force of the legislature to attack the integrity and reputation of an honourable colleague, a colleague whose commitment to public service and to the public interest is no less than any one of ours. I ask every member; look carefully into your own conscience. In deciding a matter that will have profound personal consequences for one of our honourable colleagues, and it would represent a sad and dangerous departure from a tradition of respect and honour, a tradition that is characterized Ontario's legislature, since its very inception. Thank you.
Q. Your party's going to lose that vote today. You can't get your wage freeze bill through, the Conservatives inexplicably don't support it, neither do the New Democrats, which is perhaps more understandable. So I am just curious, can you govern any longer? I mean, you've lost control of the Legislature, you've lost control of the legislative agenda. What now?	Well as I said before, I am hopeful both by inclination and by way of responsibility. We will find a way forward. We will continue to work with the opposition parties. We will move beyond, hopefully, this terrible precedent that the opposition would have us set. I would note, for example, Rob, that the NDP yesterday participated to close a motion. For 20 years now, they've said that is something that they would never do. But when they are -- when they have the heavy hand, they decided to close debate on a very important motion, in which many of our members would have liked to have spoken. So we will find a way. We will find a way beyond this. Again, I appeal to individual opposition members, look beyond the constraints of their partisanship, look beyond themselves, understand that we need to be bigger than ourselves in this matter. Understand there is a history of tradition and respect and honour, something that we owe ourselves, that transcends our partisanship. Let's deal with this in a fair way and then let's get down to people's

	business.
Q. Are you prepared, though, to in defence of Chris Bentley, to dissolve this government if they are prepared to do something that you consider profoundly unfair and unjust to one of your caucus members?	I am very much looking forward to today's vote and I am hopeful that opposition members will weigh this matter carefully and vote with their conscience, and understand the consequences of this vote.
Q. Do you think that the attacks in the House crossed the line, do you think, when they started threatening his career?	Absolutely, absolutely. You know, this is a wonderful, vital institution. And it's characterized by healthy, partisan debate that serves the greater public interest. But I think we are also endowed with a compass that tells us when we have overstepped ourselves, when we have crossed a certain line. And I think clearly, in the matter of this debate, in some of the language that has been used, in some of the threats that have been made, the tone and tenor, we have overstepped ourselves. I think we have lost something by way of our tradition and standards that we seek to uphold. I think we can get that back.
Question in French: Gregoire: Mr. Hudak yesterday rejected the public sector salary freeze plan saying it is too weak. I have two questions: are you ready to make concessions and modify the bill and when it will be presented in the House, will you make it a confidence vote?	Premier in French: The reason we presented a draft bill outside of the House is to give the opposition time and other Ontarians to prepare comments on what we are presenting. So I welcome with interest comments from Mr. Hudak. But I don't know a single opinion from a single lawyer who considers Mr. Hudak's position, to break existing contracts, as being a bill that will be accepted before the courts. So on that front, there is a lack of common ground.
Question in French: Gregoire: To my second question. Will you make it a confidence vote?	Premier in French: It is still too early to talk about a confidence vote. We are responsible now to find common ground.
Q: Crawley: This is some of the strongest language I've heard you use? The fact is this is all about nearly a quarter of billion dollars of peoples' money, taxpayers' money, [inaudible] because of admittedly political decision you guys made to	There are two separate issues here. And the amendment we would have like to have proposed but we were prevented from doing because of the closure motion that was supported by the majority opposition provided that we would take the issue of gas plant and turn that over to the committee and hive off a

benefit a few people and few [inaudible] How is that not deserving of really serious charge against Minister Bentley.	part of the motion on the floor today that deals with the contempt. So that issue number one. And I think we should look at that, and in particular we should look at what are the best standards for sighting gas plants. And secondly, how does a minister who feels their caught between protecting the public interest when it comes to producing documents and protecting the public interest when it comes to cost for taxpayers. I think those are important issues that the committee should really examine. But as I say the perspective is never unhelpful. I wasn't here in 1971 when Bill Davis cancelled the Spadina-Expressway or the real cost associated with that. I don't recall committee or contempt. But I was here in 1991 when the Bob Rae government cancelled the Redhill-Creek Expressway in Hamilton that would have been the subject of ongoing debate, cabinet approval; it even went to court. They cancelled it in 1991 at a cost of \$71 million. I don't recall committee or contempt. Let's fast-forward to 1995, or 1996, I can't recall, the Mike Harris government cancelled subways at a cost \$270 million. I don't recall committee and don't recall contempt. Perspective is always helpful. I'm saying perhaps today those kinds of things warrant a great kind of scrutiny, more transparency. I agree to that. Let's depart from those precedents, when the opposition in those days did not resort to contempt motions. Let's take a look at this in an audible and thoughtful way.
Q: Leslie: [inaudible] Wage freeze.	The reason we made our bill public before we even introduced it in the house is give the opposition an opportunity to look at this and see what commentary they might offer, to seek if we can't begin to find some common ground. My concern with the approach being brought Mr. Hudak is while there may be some areas in which we can work together; I'm concerned there is a fundamental flaw in the approach put forward by Mr. Hudak. I'm not aware of a single lawyer in the country who believes his proposal to break collective agreements open would withstand the test in court. It's one thing to

	sound tough but I think what Ontarians expect of us is to be affective. Our legislation would be affective.
Q: Babbage: The opposition parties represent more of the popular vote than your party does, so isn't their will the will of the people?	Talking about the heavy hand of the majority opposition? It's an unusual way to think of it but I wonder what stories would be written if the shoe was on the other foot: if we had a majority government and we were proceeding with a contempt motion for the first time in 220 years against a member of a minority opposition. They have the majority, and they're proceeding with a motion which I think is out of character, out of keeping with the standards which we should all embrace here.
Q: Stamou: How could you be surprised, Premier, at this particular turn of events, given that you're in the house every day or most of the time? You've seen how partisan this house has been. I've been watching this place for nearly 40 years and it's never been more partisan than now, and you're surprised that it's gone to this point?	Well, there's a responsibility, I understand that, you come in here, you've got a lot of enthusiasm, and you may not have been provided with your ethical compass yet by senior members in your caucus. But I had the advantage of watching, for a while, Bob Nixon. I watched Bob Rae. I watched others of all political stripes and how they conducted themselves in the legislature. And it might be that, you know I don't claim perfection, but I do make an effort every day to keep the temperature down, and I try to convey civility in the debates that take place in the legislature. And I would encourage the leaders of the opposition parties to speak to their own colleagues, and impress upon them that there is something bigger here than any one of us, and something bigger here than just our political stripe, and something that we owe, together, to the people of Ontario, and in this matter, in this debate, that's missing. Thanks everybody, thank you.

Douglas, Dave (MGS)

From: Hammond, Bradley (OPO)
Sent: October-19-12 11:39 AM
To: Miller, Laura (OPO); Brodhead, John (OPO); Bardeesy, Karim (OPO)
Cc: Barton, Neala (OPO)
Subject: RE: Seeking Advice

Seems like everyone chooses very interesting names.

Thanks all!

From: Miller, Laura (OPO)
Sent: October 19, 2012 11:36 AM
To: Brodhead, John (OPO); Hammond, Bradley (OPO); Bardeesy, Karim (OPO)
Cc: Barton, Neala (OPO)
Subject: Re: Seeking Advice

Fred
Jack
Jill
Elephant

From: Brodhead, John (OPO)
Sent: Friday, October 19, 2012 11:34 AM
To: Hammond, Bradley (OPO); Bardeesy, Karim (OPO)
Cc: Barton, Neala (OPO); Miller, Laura (OPO)
Subject: Re: Seeking Advice

Laura has some info on this

From: Hammond, Bradley (OPO)
Sent: Friday, October 19, 2012 11:28 AM
To: Brodhead, John (OPO); Bardeesy, Karim (OPO)
Cc: Barton, Neala (OPO)
Subject: Seeking Advice

Gentlemen,

Can you give us some advice about fulfilling a request from the P? He's seeking lists of words, analogous to 'vapour' that were used by the previous government. Any advice on where to search or how to find this info? I've already looped in with Craig Sumi to see what his shop would suggest.

Thanks,

Bradley P. Hammond

Associate Press Secretary
Office of the Premier of Ontario
desk: 416.325.3522

cell: 416.346.1916
twitter: @LibPressSec

Douglas, Dave (MGS)

From: chris.morley@rogers.com
Sent: October-17-12 8:13 PM
To: Miller, Laura (OPO)
Subject: Re:

?

-----Original Message-----

From: Laura.Miller@ontario.ca
To: Chris Morley
Subject: Fw:
Sent: Oct 17, 2012 8:10 PM

1.

----- Original Message -----

From: Kett, Jennifer (ENERGY)
Sent: Wednesday, October 17, 2012 08:09 PM
To: Miller, Laura (OPO); Barton, Neala (OPO)
Subject: Re:

Karen didn't mention Morley to me. She asked what 'Vapour' meant and no follow up.

Sent using BlackBerry

----- Original Message -----

From: Miller, Laura (OPO)
Sent: Wednesday, October 17, 2012 08:07 PM
To: Barton, Neala (OPO); Kett, Jennifer (ENERGY)
Subject:

Were either of you contacted re: Karen's story with the Morley angle?
Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

Douglas, Dave (MGS)

From: McCann, Wendy (OPO)
Sent: October-17-12 3:06 PM
To: Barton, Neala (OPO); O'Leary, John (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

Media will now ask if they get documents on issues they FOI us on if they don't provide the project name. And we can expect half a dozen more FOIs with the word Vapour.

From: Barton, Neala (OPO)
Sent: October-17-12 2:42 PM
To: McCann, Wendy (OPO); O'Leary, John (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

Here's what Jen went back with:

It's routine practice that commercial negotiations, particularly those with publicly-traded companies, are assigned project names that are used by both officials and political staff. After two thorough searches, 55,000 responsive documents have been released, including those with reference to 'Project Vapour'. It's worth noting that all of these documents are subject to FOI regardless of what project name is assigned.

From: McCann, Wendy (OPO)
Sent: October-17-12 2:17 PM
To: O'Leary, John (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Barton, Neala (OPO); Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

Here's the latest from Beckie:

Premier's office/Cabinet office/MIA has a 100% compliance rate (we respond to the requestor with records/access decision within the required number of dates) – this does include time extensions which are allowed under the act

Government at large has a 89.7% compliance rate

From: O'Leary, John (OPO)
Sent: October-17-12 2:06 PM
To: McCann, Wendy (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Barton, Neala (OPO); Korbee, Leon (OPO)
Subject: Re: Media Technical Briefing

Yes, its excellent. Believe PO and Cabinet Office is 100% compliance. Overall our govt is always very high. Some mins better than others, but overall we are exceptional, esp compared to the pc's. Beckie can get you specifics. Q3 compliance numbers are avail, so we'll have very accurate year to date figures if needed.

From: McCann, Wendy (OPO)
Sent: Wednesday, October 17, 2012 01:53 PM
To: Miller, Laura (OPO); 'bclow@liberal.ola.org' <bclow@liberal.ola.org>; Barton, Neala (OPO); O'Leary, John (OPO); Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

Do we have a good record on FOI compliance?

From: Miller, Laura (OPO)
Sent: October-17-12 1:46 PM
To: McCann, Wendy (OPO); 'bclow@liberal.ola.org'; Barton, Neala (OPO); O'Leary, John (OPO); Korbee, Leon (OPO)
Subject: Re: Media Technical Briefing

Follow on twitter.

From: McCann, Wendy (OPO)
Sent: Wednesday, October 17, 2012 01:45 PM
To: Miller, Laura (OPO); 'bclow@liberal.ola.org' <bclow@liberal.ola.org>; Barton, Neala (OPO); O'Leary, John (OPO); Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

We'll need to see if they think they've found a smoking gun.

From: Miller, Laura (OPO)
Sent: October-17-12 1:43 PM
To: 'bclow@liberal.ola.org'; Barton, Neala (OPO); McCann, Wendy (OPO); O'Leary, John (OPO); Korbee, Leon (OPO)
Subject: Re: Media Technical Briefing

How will we push back?

From: Clow, Brian [<mailto:bclow@liberal.ola.org>]
Sent: Wednesday, October 17, 2012 01:22 PM
To: Miller, Laura (OPO); Barton, Neala (OPO); McCann, Wendy (OPO); O'Leary, John (OPO)
Subject: Fw: Media Technical Briefing

PCs holding tech briefing on gas plants docs

From: Crone, Greg [<mailto:GCrone@torstar.ca>]
Sent: Wednesday, October 17, 2012 01:21 PM
To: Clow, Brian
Subject: FW: Media Technical Briefing

FYI

From: Bujold, Christine [<mailto:christine.bujold@pc.ola.org>]
Sent: Wednesday, October 17, 2012 12:09 PM
Subject: Media Technical Briefing

Media are invited to attend a technical briefing on the released power plant documents.

When: Wednesday October 17th, 2012
1:30pm

Where: Ontario PC Caucus Boardroom
Room 351
Main Legislative Building

Christine Bujold
Press Secretary
Office of the Ontario PC Leader
Room 375, Queen's Park
Toronto, M7A 1A8
416-325-1330
christine.bujold@pc.ola.org

<http://www.facebook.com/timhudak>
<http://www.twitter.com/timhudak>

Douglas, Dave (MGS)

From: Barton, Neala (OPO)
Sent: October-17-12 2:42 PM
To: McCann, Wendy (OPO); O'Leary, John (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

Here's what Jen went back with:

It's routine practice that commercial negotiations, particularly those with publicly-traded companies, are assigned project names that are used by both officials and political staff. After two thorough searches, 55,000 responsive documents have been released, including those with reference to 'Project Vapour'. It's worth noting that all of these documents are subject to FOI regardless of what project name is assigned.

From: McCann, Wendy (OPO)
Sent: October-17-12 2:17 PM
To: O'Leary, John (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Barton, Neala (OPO); Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

Here's the latest from Beckie:

Premier's office/Cabinet office/MIA has a 100% compliance rate (we respond to the requestor with records/access decision within the required number of dates) – this does include time extensions which are allowed under the act

Government at large has a 89.7% compliance rate

From: O'Leary, John (OPO)
Sent: October-17-12 2:06 PM
To: McCann, Wendy (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Barton, Neala (OPO); Korbee, Leon (OPO)
Subject: Re: Media Technical Briefing

Yes, its excellent. Believe PO and Cabinet Office is 100% compliance. Overall our govt is always very high. Some mins better than others, but overall we are exceptional, esp compared to the pc's. Beckie can get you specifics. Q3 compliance numbers are avail, so we'll have very accurate year to date figures if needed.

From: McCann, Wendy (OPO)
Sent: Wednesday, October 17, 2012 01:53 PM
To: Miller, Laura (OPO); 'bclow@liberal.ola.org' <bclow@liberal.ola.org>; Barton, Neala (OPO); O'Leary, John (OPO); Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

Do we have a good record on FOI compliance?

From: Miller, Laura (OPO)
Sent: October-17-12 1:46 PM
To: McCann, Wendy (OPO); 'bclow@liberal.ola.org'; Barton, Neala (OPO); O'Leary, John (OPO); Korbee, Leon (OPO)
Subject: Re: Media Technical Briefing

Follow on twitter.

From: McCann, Wendy (OPO)
Sent: Wednesday, October 17, 2012 01:45 PM
To: Miller, Laura (OPO); 'bclow@liberal.ola.org' <bclow@liberal.ola.org>; Barton, Neala (OPO); O'Leary, John (OPO); Korbee, Leon (OPO)
Subject: RE: Media Technical Briefing

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To: O'Leary, John (OPO); Miller, Laura (OPO); 'bclow@liberal.ola.org'; Barton, Neala (OPO); Korbee, Leon (OPO)
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Thanks. I'll ask Beckie for the details.

From: O'Leary, John (OPO)
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christine.bujold@pc.ola.org

<http://www.facebook.com/timhudak>
<http://www.twitter.com/timhudak>

Douglas, Dave (MGS)

From: Korbee, Leon (OPO)
Sent: October-17-12 2:05 PM
To: McCann, Wendy (OPO); Barton, Neala (OPO); Miller, Laura (OPO)
Subject: Re: Project Vapour

Neala, I'd check with MOE quickly but I know OPA deemed vapour and project vapour as responsive.

From: McCann, Wendy (OPO)
Sent: Wednesday, October 17, 2012 02:01 PM
To: Korbee, Leon (OPO); Barton, Neala (OPO); Miller, Laura (OPO)
Subject: RE: Project Vapour

Then, we could have Neala walk the gallery and confirm. We occasionally use short forms for projects. It's for the sake of brevity in communicating with one another and our partners, not for avoiding FOIs. Our record on FOI compliance is excellent. And in this case, we turned over all documents with that project name in the interests of being transparent and complying with the committee's request.

From: Korbee, Leon (OPO)
Sent: October-17-12 1:57 PM
To: Barton, Neala (OPO); Miller, Laura (OPO); McCann, Wendy (OPO)
Subject: Re: Project Vapour

Its not secret. Any documents using that term are included I believe....they didn't ask for them we included them.

From: Barton, Neala (OPO)
Sent: Wednesday, October 17, 2012 01:51 PM
To: Miller, Laura (OPO); McCann, Wendy (OPO); Korbee, Leon (OPO)
Subject: Fw: Project Vapour

See below -- any advice?

From: Leslie, Keith [<mailto:Keith.Leslie@thecanadianpress.com>]
Sent: Wednesday, October 17, 2012 01:43 PM
To: Barton, Neala (OPO)
Subject: Project Vapour

Was it gas plants or do Libs have another explanation for what Morley et al are referring to in docs?

Douglas, Dave (MGS)

From: McCann, Wendy (OPO)
Sent: October-17-12 2:01 PM
To: Korbee, Leon (OPO); Barton, Neala (OPO); Miller, Laura (OPO)
Subject: RE: Project Vapour

Then, we could have Neala walk the gallery and confirm. We occasionally use short forms for projects. It's for the sake of brevity in communicating with one another and our partners, not for avoiding FOIs. Our record on FOI compliance is excellent. And in this case, we turned over all documents with that project name in the interests of being transparent and complying with the committee's request.

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Sent: October-17-12 1:57 PM
To: Barton, Neala (OPO); Miller, Laura (OPO); McCann, Wendy (OPO)
Subject: Re: Project Vapour

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See below -- any advice?

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To: Barton, Neala (OPO)
Subject: Project Vapour

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Douglas, Dave (MGS)

From: chris.morley@rogers.com
Sent: October-17-12 2:00 PM
To: Miller, Laura (OPO)
Subject: Re: Project Vapour

Is the following true, which should come from Energy not Neala:

"It's routine practice that commercial negotiations, particularly those with publicly-traded companies, are assigned project names. After two thorough searches 55,000 documents have been released, which include all records found related to the relocation of gas plants."

(I assume all "vapour" documents have been released now even if they didn't reference anything else?)

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Miller, Laura (OPO)" <Laura.Miller@ontario.ca>
Date: Wed, 17 Oct 2012 17:52:17 +0000
To: 'chris.morley@rogers.com' <chris.morley@rogers.com>
Subject: Fw: Project Vapour

From: Barton, Neala (OPO)
Sent: Wednesday, October 17, 2012 01:51 PM
To: Miller, Laura (OPO); McCann, Wendy (OPO); Korb, Leon (OPO)
Subject: Fw: Project Vapour

See below -- any advice?

From: Leslie, Keith [<mailto:Keith.Leslie@thecanadianpress.com>]
Sent: Wednesday, October 17, 2012 01:43 PM
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To: Barton, Neala (OPO)
Subject: Project Vapour

Was it gas plants or do Libs have another explanation for what Morley et al are referring to in docs?

Douglas, Dave (MGS)

From: chris.morley@rogers.com
Sent: October-16-12 8:19 PM
To: don.guy@live.com; Miller, Laura (OPO)
Subject: Re: Re:

She's dropped the other line. She just sent me a note. I drafted but have not sent this. My view was play ball on this cause it's meaningless compared to what she was going to write.

In your hands Laura

The Premier informed a tight group on Saturday in a series of individual phone calls. That included myself, Don, Laura, David Livingston and Dave Gene.

That group, plus Brendan, had a series of phone calls over the weekend to develop and implement a plan for execution.

The Premier was absolutely firm on the fact that his caucus and Ontarians hear about the news together. That led to the strategy and execution you saw Monday night.

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

-----Original Message-----

From: "Don Guy " <don.guy@live.com>

Date: Wed, 17 Oct 2012 00:15:11

To: Miller Laura (OPO)<Laura.Miller@ontario.ca>; chris.morley@rogers.com<chris.morley@rogers.com>

Subject: Re: Re:

Sorry advisors.

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

-----Original Message-----

From: "Miller Laura (OPO)" <Laura.Miller@ontario.ca>

Date: Wed, 17 Oct 2012 00:10:18

To: <don.guy@live.com>; <chris.morley@rogers.com>

Subject: Re: Re:

She is looking to confirm 'advisors'. Do I give that to her?

----- Original Message -----

From: Don Guy [mailto:don.guy@live.com]

Sent: Tuesday, October 16, 2012 08:03 PM

To: Miller, Laura (OPO); chris.morley@rogers.com <chris.morley@rogers.com>

Subject: Re: Re:

Source could be Butts now that I think about it.

Sent wirelessly from my BlackBerry device on the Bell network.

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-----Original Message-----

From: "Miller Laura (OPO)" <Laura.Miller@ontario.ca>

Date: Wed, 17 Oct 2012 00:01:15

To: <don.guy@live.com>; <chris.morley@rogers.com>

Subject: Re: Re:

Ha ha.

----- Original Message -----

From: Don Guy [mailto:don.guy@live.com]

Sent: Tuesday, October 16, 2012 08:00 PM

To: Miller, Laura (OPO); chris.morley@rogers.com <chris.morley@rogers.com>

Subject: Re: Re:

"Karen Howlett is a fucking liar and if her source won't go on the record, so is he." ?

Sent wirelessly from my BlackBerry device on the Bell network.

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-----Original Message-----

From: "Miller Laura (OPO)" <Laura.Miller@ontario.ca>

Date: Tue, 16 Oct 2012 23:55:58

To: <don.guy@live.com>; <chris.morley@rogers.com>

Subject: Re: Re:

Adding CM

We could see her first write thru and then decide.

What would you want the quote to be?

----- Original Message -----

From: Don Guy [mailto:don.guy@live.com]

Sent: Tuesday, October 16, 2012 07:54 PM

To: Miller, Laura (OPO)

Subject: Re: Re:

Someone may need to go on the record.

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

-----Original Message-----

From: "Miller Laura (OPO)" <Laura.Miller@ontario.ca>

Date: Tue, 16 Oct 2012 23:49:50

To: <don.guy@live.com>

Subject: Fw: Re:

From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]
Sent: Tuesday, October 16, 2012 07:48 PM
To: Miller, Laura (OPO); Barton, Neala (OPO)
Subject: Re: Re:

She'll fuck us. Suspect Bentley is her source.
Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Miller, Laura (OPO)" <Laura.Miller@ontario.ca>
Date: Tue, 16 Oct 2012 23:43:03 +0000
To: 'chris.morley@rogers.com' <chris.morley@rogers.com>; Barton, Neala (OPO) <Neala.Barton@ontario.ca>
Subject: Re: Re:

We spoke on background.

I walked her through the bps/prorogation timeline.

I told her conversations this weekend were simply related to P's decision and how to communicate it.

She told me she knows there were other meetings with the Premier on how to manage the gas plant issue. I told her no there were not.

She said that the Premier was part of conversations on 20,000 documents and directed Milloy and Bentley to apologize on Monday morning. I told her no that GHLO advised that apologies were an option and Ministers/staff were agreeable that they made since given the situation.

She said she knows the Premier did this to make the issue disappear for Bentley. I told her the only way to make it go away is to dissolve parliament and have an election. I explained that the contempt motion will be an issue when the house returns.

From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]
Sent: Tuesday, October 16, 2012 07:18 PM
To: Miller, Laura (OPO); Barton, Neala (OPO)
Subject: Fw: Re:

Laura pls call her
Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: chris.morley@rogers.com
Date: Tue, 16 Oct 2012 23:18:29 +0000
To: Howlett, Karen <KHowlett@globeandmail.com>
ReplyTo: chris.morley@rogers.com
Subject: Re: Re:

Nope.

Dalton had made his decision prior to Friday and communicated it to a tight group on Saturday.

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Howlett, Karen" <KHowlett@globeandmail.com>

Date: Tue, 16 Oct 2012 19:15:19 -0400

To: 'chris.morley@rogers.com' <chris.morley@rogers.com>

Subject: RE: Re:

I'm confused. you didn't discuss the gas plant controversy? On Friday, after the documents were released, Christine Elliott talked about launching a new contempt motion.

From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]

Sent: October 16, 2012 7:12 PM

To: Howlett, Karen

Subject: Re: Re:

No. That's entirely incorrect. Can't tell you how false that is.

The Premier informed a very tight group on Saturday of his decision to resign as Leader of the Party. The only discussions that took place were about how to execute that early this week. There wasn't a discussion or call that I was not a part of.

Sent wirelessly from my BlackBerry device on the Bell network.

Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Howlett, Karen" <KHowlett@globeandmail.com>

Date: Tue, 16 Oct 2012 19:04:00 -0400

To: 'chris.morley@rogers.com' <chris.morley@rogers.com>

Subject: RE: Re:

Have fun! I just wanted to confirm off the record the meetings that took place this weekend between McGuinty and his closest advisers (including you) - that you discussed either riding out the controversy over the gas plants or finding a way to stop it for now - proroguing the house.

From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]
Sent: October 16, 2012 6:55 PM
To: Howlett, Karen
Subject: Re:

Sorry Karen. I'm in NYC so can't chat tonight

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

From: "Howlett, Karen" <KHowlett@globeandmail.com>
Date: Tue, 16 Oct 2012 18:20:07 -0400
To: 'chris.morley@rogers.com' <chris.morley@rogers.com>
Subject:

Hi Chris
Can I chat to you on background? 416-585-5382

Karen Howlett I Queen's Park reporter
p: 416.585.5382 I e: khowlett@globeandmail.com <mailto:youreemail@globeandmail.com>

Douglas, Dave (MGS)

From: Don Guy <don.guy@live.com>
Sent: October-16-12 8:15 PM
To: Miller, Laura (OPO); chris.morley@rogers.com
Subject: Re: Re:

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Date: Wed, 17 Oct 2012 00:10:18
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Subject: Re: Re:

Source could be Butts now that I think about it.

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What would you want the quote to be?

----- Original Message -----

From: Don Guy [mailto:don.guy@live.com]
Sent: Tuesday, October 16, 2012 07:54 PM
To: Miller, Laura (OPO)
Subject: Re: Re:

Someone may need to go on the record.
Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.

-----Original Message-----

From: "Miller Laura (OPO)" <Laura.Miller@ontario.ca>
Date: Tue, 16 Oct 2012 23:49:50
To: <don.guy@live.com>
Subject: Fw: Re:

From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]
Sent: Tuesday, October 16, 2012 07:48 PM
To: Miller, Laura (OPO); Barton, Neala (OPO)
Subject: Re: Re:

She'll fuck us. Suspect Bentley is her source.
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From: "Miller, Laura (OPO)" <Laura.Miller@ontario.ca>
Date: Tue, 16 Oct 2012 23:43:03 +0000
To: 'chris.morley@rogers.com'<chris.morley@rogers.com>; Barton, Neala (OPO)<Neala.Barton@ontario.ca>
Subject: Re: Re:

We spoke on background.

I walked her through the bps/prorogation timeline.

I told her conversations this weekend were simply related to P's decision and how to communicate it.

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From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]
Sent: Tuesday, October 16, 2012 07:18 PM
To: Miller, Laura (OPO); Barton, Neala (OPO)
Subject: Fw: Re:

Laura pls call her

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From: chris.morley@rogers.com
Date: Tue, 16 Oct 2012 23:18:29 +0000
To: Howlett, Karen<KHowlett@globeandmail.com>
ReplyTo: chris.morley@rogers.com
Subject: Re: Re:

Nope.

Dalton had made his decision prior to Friday and communicated it to a tight group on Saturday.

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From: "Howlett, Karen" <KHowlett@globeandmail.com>
Date: Tue, 16 Oct 2012 19:15:19 -0400
To: 'chris.morley@rogers.com'<chris.morley@rogers.com>
Subject: RE: Re:

I'm confused. you didn't discuss the gas plant controversy? On Friday, after the documents were released, Christine Elliott talked about launching a new contempt motion.

From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]
Sent: October 16, 2012 7:12 PM
To: Howlett, Karen

Subject: Re: Re:

No. That's entirely incorrect. Can't tell you how false that is.

The Premier informed a very tight group on Saturday of his decision to resign as Leader of the Party. The only discussions that took place were about how to execute that early this week. There wasn't a discussion or call that I was not a part of.

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Date: Tue, 16 Oct 2012 19:04:00 -0400

To: 'chris.morley@rogers.com' <chris.morley@rogers.com>

Subject: RE: Re:

Have fun! I just wanted to confirm off the record the meetings that took place this weekend between McGuinty and his closest advisers (including you) - that you discussed either riding out the controversy over the gas plants or finding a way to stop it for now - proroguing the house.

From: chris.morley@rogers.com [mailto:chris.morley@rogers.com]

Sent: October 16, 2012 6:55 PM

To: Howlett, Karen

Subject: Re:

Sorry Karen. I'm in NYC so can't chat tonight

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From: "Howlett, Karen" <KHowlett@globeandmail.com>

Date: Tue, 16 Oct 2012 18:20:07 -0400

To: 'chris.morley@rogers.com' <chris.morley@rogers.com>

Subject:

Hi Chris

Can I chat to you on background? 416-585-5382

Karen Howlett I Queen's Park reporter

p: 416.585.5382 I e: khowlett@globeandmail.com <mailto:youreemail@globeandmail.com>

Douglas, Dave (MGS)

From: Don Guy <don.guy@live.com>
Sent: October-16-12 8:04 PM
To: Miller, Laura (OPO); chris.morley@rogers.com
Subject: Re: Re:

Source could be Butts now that I think about it.
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From: "Miller Laura (OPO)" <Laura.Miller@ontario.ca>
Date: Wed, 17 Oct 2012 00:01:15
To: <don.guy@live.com>; <chris.morley@rogers.com>
Subject: Re: Re:

Ha ha.

----- Original Message -----

From: Don Guy [mailto:don.guy@live.com]
Sent: Tuesday, October 16, 2012 08:00 PM
To: Miller, Laura (OPO); chris.morley@rogers.com <chris.morley@rogers.com>
Subject: Re: Re:

"Karen Howlett is a fucking liar and if her source won't go on the record, so is he." ?
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To: <don.guy@live.com>; <chris.morley@rogers.com>
Subject: Re: Re:

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